



ANIMAL WELFARE

National Animal Welfare Advisory Committee

Annual Report 1 January to 31 December 2022

National Animal Welfare Advisory Committee
C/– Ministry for Primary Industries
P O Box 2526
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New Zealand

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September 2023

NAWAC

National Animal Welfare Advisory Committee

Chair's comment

Tēnā koutou katoa,

It's an honour and privilege to take over as Chair of NAWAC, and I thank the Minister of Agriculture, Hon Damien O'Connor, and the outgoing and incoming Associate Ministers of Agriculture with Animal Welfare responsibilities, Hon Meka Whaitiri and Hon Jo Luxton, respectively, for their confidence and support for the committee. I bring to the role experience as a veterinarian and regulator in national and international contexts, spanning animal welfare, animal health, food safety, One Health, and trade. I'm not an animal welfare scientist nor do I consider myself an animal welfare expert. However, I do have a deep understanding of the New Zealand animal welfare regulatory system and am steeped in the disciplines of evidence-based decision making and Good Regulatory Practices. I will do my very best to help NAWAC to continue to fulfil expectations of best practice in these functions that are critical to our role.

I pay tribute to Dr Gwyneth Verkerk as NAWAC's dedicated and hard-working chair over two previous terms, amounting to six years of service. Gwyneth's term saw several innovations, including a strategic framework for NAWAC and the establishment of the NAWAC website, along with progress on many important aspects of the NAWAC work programme. The term coincided with important challenges as well, and notably Gwyneth represented NAWAC during two judicial reviews of the Pigs and Rodeos Codes of Welfare. Having been through this process myself in another context, I understand how demanding this can be. The rulings and guidance that these judicial reviews provided are being adopted into NAWAC's work, a process that Gwyneth initiated, and I will ensure continues. This includes a full review of our guidelines, starting with those that are central to the development and review of Codes of Welfare.

I would like to thank Nick Poutu and Ingrid Visser for their service as NAWAC members, and welcome Sandra Faulkner and Tracy Brown (Te Rarawa, Ngai Tupoto) as new appointees. The appointment system (i.e., statutory appointments for renewable three-year terms), the breadth of NAWAC responsibilities, and the demands of the work programme mean that NAWAC, MPI and the Ministers have the opportunity every year to identify candidates to achieve the right balance of expertise and representation to align with current and near future priorities. Sandra and Tracy bring their expertise from farming (sheep & beef and dairy, respectively) and agribusiness. Tracy also brings Te Ao Māori governance experience and perspectives.

During 2022 NAWAC re-initiated face-to-face meetings after the extended period of virtual meetings brought about by COVID-19 restrictions. We learnt to remain productive despite such restrictions by adapting meeting processes. However, we also learnt that the virtual environment has limits with respect to efficient, free-flowing, and inclusive discussions, despite best efforts. NAWAC's work programme often demands such discussions on challenging and complex topics, from which decisions and recommendations must be formulated, and so we welcome the ability to get around the table in-person again.

During 2022 and in early 2023 our farming and animal-owning communities, and the broader stakeholders in these sectors, have experienced a confluence of pressures associated with the post-COVID economic recovery, high inflation, ongoing disruptions to international supply chains and markets, formulation of policy for agriculture's contribution to national climate change commitments, and a series of adverse weather events that likely signal the future under climate change scenarios. This context has both direct and broad implications for animal welfare. Farmers and animal owners have been placed under extraordinary strain, as have the systems and agencies that provide them policy, operational and technical support, and services. Ensuring animal welfare policy-settings remain fit-for-purpose and their implementation a priority, within the broader context of welfare for the people and communities that rely on animals, is the adaptive challenge our animal welfare system must focus on. NAWAC's role as an independent advisor to Ministers demands that we contribute to strategic and policy responses to this challenge, which means we must also understand the associated operational and technical challenges.

Key work programme achievements for NAWAC during 2022 include the significant progress across ongoing reviews of Codes of Welfare for pigs, dairy, deer, sheep and beef, and rodeos, despite none of these culminating in re-issue of revised Codes during the calendar year. The work in 2022 has set up 2023 as an important year for livestock sector Codes. In the companion animal sector, SPCA's activities to lead external drafting of Codes for rabbits, cats and dogs has given NAWAC a significant head-start on these reviews. Industry-led development of Animal Welfare Codes of Practice for apiculture and salmon aquaculture have also been progressed, and NAWAC is keenly observing the associated implementation and remains ready to work with these sectors to consider regulatory adaptation. We reviewed NAWAC's pest management guidelines for approval of traps, and prepared advice on specific approvals. NAWAC continued its close liaison with Greyhound Racing New Zealand and the Racing Integrity Board as the industry addresses issues raised in earlier external reviews that NAWAC contributed to. NAWAC has continued to engage directly with industry-driven initiatives, such as the Farm to Processor Animal Welfare Forum, providing the framework to complement regulatory mechanisms with non-regulatory interventions for the advancement of animal welfare. Within the constraints of NAWAC's capacity, we positively respond as often as we can to invitations for other fora such as conferences, meetings or courses organised by stakeholders, demonstrating our commitment to collaboration.

As 2022 concluded and 2023 kicked off, NAWAC re-formulated its Annual Work Programme into a rolling two-year plan that will be annually updated, providing the mechanism to consider the committee's capacity, and that of our Secretariat, MPI Policy and stakeholder communities as we decide to initiate prioritised activities from our published programme. The Work Programme will naturally be also used for ongoing monitoring and reporting. I want to ensure that for each activity NAWAC takes on, we apply clear and transparent processes grounded in Good Regulatory Practice as made explicit in our updated guidelines. In particular, this means attention to evidence synthesis, adherence to legal frameworks, and broad and inclusive stakeholder engagement and consultation.

The Animal Welfare Act's recognition of animal sentience establishes the ethical basis for requirements in the form of primary legislation, Regulations and Minimum Standards that address the physical, health and behavioural needs of animals as appropriate to their circumstances. The New Zealand Animal Welfare Strategy contextualises those circumstances by noting that our use of animals is acceptable, in agriculture and food production, for companionship and recreation, and in research and teaching, so long as that use is humane. In defining physical, health and behavioural needs, the Act establishes the obligation to provide the opportunity to display normal patterns of behaviour, appropriate to the species, environment, and circumstances. The Act acknowledges that the way we handle animals may cause them pain or distress, but this should not be unreasonable or unnecessary. Retaining the social license for the use of animals and the marketing of animal products requires an inclusive and evidence-based approach to defining acceptable and humane practices in accordance with this legal framework. However, it also requires a strong culture of compliance from owners and persons in charge of animals, enforcement mechanisms appropriate to the situation, a common commitment to extend good practice beyond minimum requirements, as well as efforts to improve public understanding of farming and other animal-use practices and their benefits to society, across health, well-being, nutritional and economic domains.

NAWAC's role is primarily in the definition of animal welfare requirements. Responsibilities for compliance, enforcement and education sit with our partners in the regulatory system and the leadership of the sectors involved. However, NAWAC can support these processes by ensuring operational experience contributes to the review cycle for Codes, and by exploring and drawing attention to important challenges within our Opinion Pieces. NAWAC must find space in our crowded programme of Code reviews for exploration of strategic issues associated with incorporating Mātauranga Māori perspectives, managing pain, and reducing the need for painful husbandry procedures, adapting to climate change, and ensuring new technologies in agriculture are adopted with prior understanding of animal welfare implications.

I look forward to working with the Ministers, my NAWAC colleagues, our partners in the animal welfare system, and all stakeholders with an interest in the use of animals in Aotearoa New Zealand.

A handwritten signature in black ink, appearing to read 'M Stone', with a stylized flourish at the end.

Dr Matthew Stone (Appointed: 04.11.22)

Strategic Plan

In February 2022 NAWAC spent a half day reviewing its strategic plan and developing a new approach which is encapsulated in Figure 1. The Plan was agreed at NAWAC's May quarterly meeting with further work required if the committee wishes to develop more specific key performance indicators

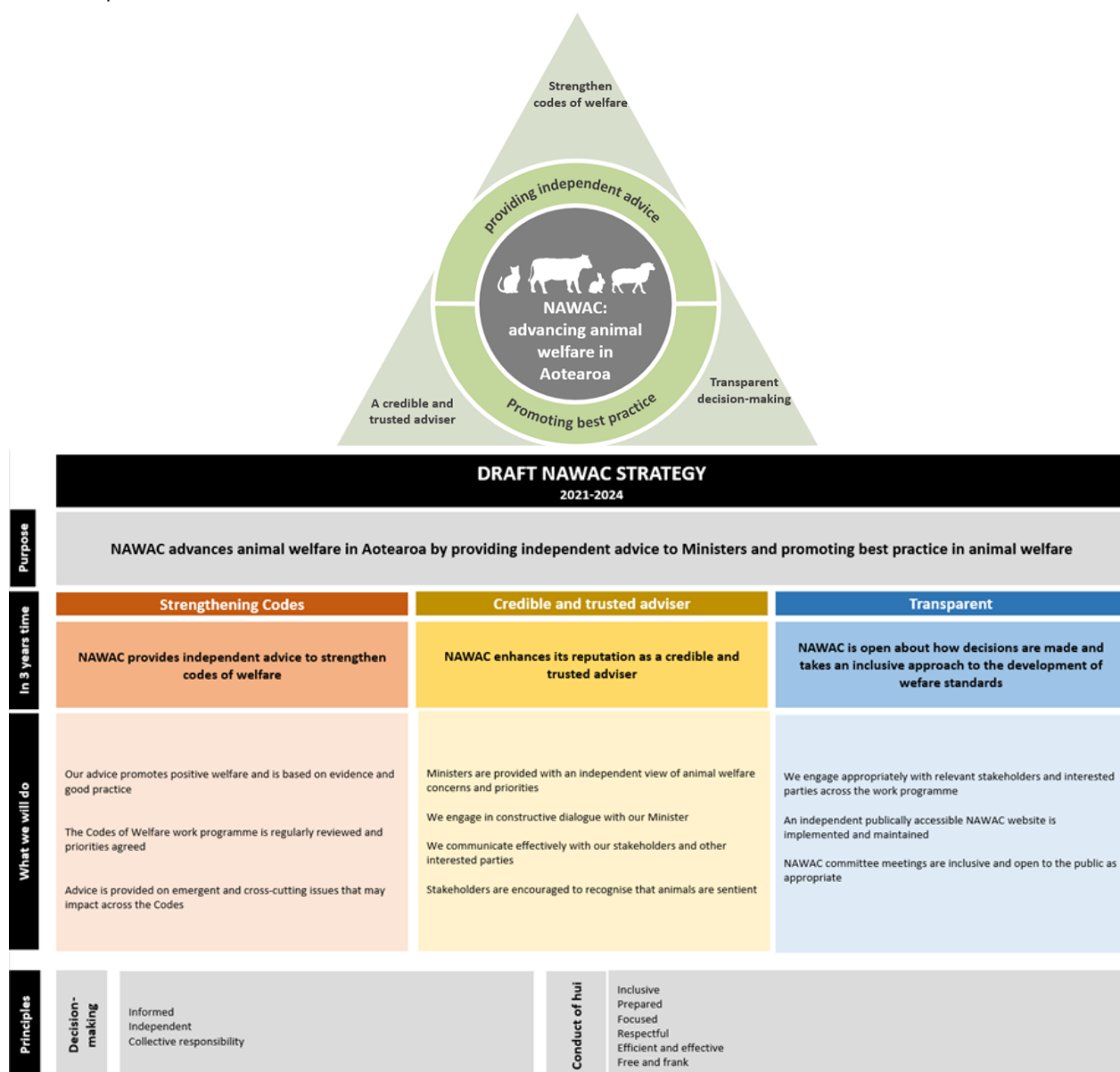


Figure 1

A summary of NAWAC's work against each pillar in 2022 is as follows:

- **Strengthening Codes:** reviews of five codes in progress (one completed); enhanced secretariat capacity in late 2022 ensures future progress with code reviews.
- **Transparency:** development and launch of www.nawac.org.nz; publication of agendas and minutes, and other advice, development of guidelines for open meetings.
- **Credibility/Trust:** advice to Ministers regarding pigs, greyhounds, rodeo, and bees; stakeholder engagement during code reviews.

Membership

Members	Expiry of Appointment
Dr Matthew Stone (Chair) BVSc, MVS (Epidemiology), MInstD	31.10.25
Dr Gwyneth A Verkerk BVSc, PhD	31.10.22
Dr Arnja R Dale BSc, GDipNFPL, GDipHE, MSc, MSc (Hons), PhD, Chief Scientist RNZSPCA	31.10.24
Ms Ruth H Palmer MA (Hons), MPP (Distinction), layperson	31.10.24
Mr Nicholas (Nick) J Poutu MSc, Technical Adviser (Animal Threats) DOC	31.10.22
Dr Ingrid N Visser MSc, PhD, Founder of the Orca Research Trust	Resigned 24.12.22
Dr Grant R McCullough BVSc, Veterinarian	31.10.23
Professor Craig Johnson BVSc, PhD, DSc, DVA, DipECVA, RCVS Registered Specialist, Professor of Veterinary Neurophysiology, Tāwharau Ora, Massey University	31.10.25
Mr Peter W Mason BComm	31.10.25
Mrs Sandra B Faulkner BComm, Partner Wairakaia Partnership	31.10.25
Professor Natalie Waran BSc (Hons), PhD, NAEAC Chair	31.10.24
Dr Mhairi Sutherland MSc, PhD, Scientist	31.10.24
Ms Tracy Brown BAgSci (Hons), DairyNZ	31.10.25

Fees

Government policy requires disclosure of fees paid to members of statutory boards and committees. The daily fee paid to committee members during 2022 was \$400 for members and \$550 for the chairperson.

Members are paid the fee for attending meetings, with an allowance for preparation time. Members are also reimbursed for travelling expenses. In addition, the chairperson and, on occasion, other members may be paid additional fees for representing the committee at other meetings or for carrying out significant extra work on the committee's behalf.

Total fees 2022 – meeting preparation and attendance	\$96,257.81
Total reimbursed 2022 – travelling expenses	\$8,056.19
Total NAWAC expenses 2022	\$104,314.00

Member	Fees paid during 2022 (gross)
G Verkerk ¹	\$10,596.66
A Dale	\$8,400.00
R Palmer	\$8,200.00
N Poutu ²	-
I Visser	-
P Mason	\$23,400.00
C Johnson	\$11,600.00
S Faulkner	\$13,200.00
G McCullough	\$8,150.00
N Waran	\$2,760.00
M Sutherland	\$4,140.00
M Stone	\$5,811.15
TOTAL FEES PAID 2022	\$96,257.81

¹ The Chair undertook extensive liaison with animal welfare, industry, and other groups, and with MPI, regarding the writing and content of draft codes of welfare, regulations, and regarding other NAWAC business, in addition to preparing for and conducting formal NAWAC meetings and special meetings.

² N Poutu as a public servant, does not receive meeting fees.

Work plan

Strengthening Codes Programme:

Code of Welfare	Status at Dec 2022	Next Steps
Pigs	Review – ongoing Step 8* – Review submissions Step 9 – Undertake further targeted Consultation (optional)	Step 9 – Undertake further targeted Consultation (optional) Step 12 – Finalising recommended draft
Dairy	Review – ongoing Step 8 – Review submissions Step 9 – Undertake further targeted Consultation (optional)	Step 9 – Undertake further targeted Consultation (optional) Step 12 – Finalising recommended draft
Sheep and Beef	Review – ongoing Step 3 – Initial Drafting Step 4 - Targeted stakeholder engagement	Step 5 - Finalise Consultation Drafts
Deer	Review – ongoing Step 8 – Review Submissions	Step 9 – Undertake further targeted Consultation (optional)
Rodeo	Review – ongoing Step 3 – Initial Drafting Step 4 - Targeted stakeholder engagement	Step 5 – Finalise Consultation Drafts
Poultry – including regulations	Development	Step 1 – Planning and prioritising
Fin-Fish Aquaculture	Development	On hold

The NAWAC work programme is reviewed annually. The schedule for future code reviews will be determined as the work outlined above is completed.

*Within Pillar 1 of NAWAC's work plan, the following steps are used to summarise the development process of Codes of Welfare described in the Animal Welfare Act 1999 and NAWAC Guidelines.

1. Planning and prioritisation
2. Scoping and analysis
3. Initial drafting
4. Targeted stakeholder engagement
5. Finalise consultation drafts
6. Request Minister approval to consult
7. Public consultation
8. Review submissions
9. Undertake further targeted consultation [Optional]
10. Undertake further public consultation [Optional]
11. Economic analysis [Optional]
12. Finalise recommended drafts
13. Recommend to Minister

Other Projects:

Project	Current Status	Key focus	Next Step
Greyhounds	Watching brief: waiting on RIB report	Monitor industry progress against review recommendations	Providing Minister advice on final RIB report
Wildlife subcommittee	Review	Trap testing guidelines Best practice guidelines	Publish updated trap testing guidelines agreed at the November 2022 NAWAC meeting Best practice guideline on hold
Insect sentience	In development Joint workshop with NAEAC on insect sentience occurred in 2022	Understanding insect sentience and consequences for animal welfare	Furthering committee understanding

Meeting summaries

NAWAC holds general meetings quarterly, and other meetings (e.g., subcommittee meetings, joint NAWAC/NAEAC meetings, strategic meetings) as necessary.

Key items discussed at the 15 February 2022 meeting via videoconference were:

NAWAC reviewed the committees agreed work programme for 2022 and elected a deputy chair for 2022. The committee was provided with the following updates on the progress of priority codes of welfare under the “Strengthening Codes of Welfare” Programme:

- The pigs code of welfare underwent a second economic analysis which resulted in a delay in this code of welfare going out for public consultation.
- The dairy cattle draft code of welfare and evaluation report was ready to be reviewed by NAWAC.
- The sheep and beef code continued to be drafted and was to be presented to NAWAC at their next quarterly meeting in May 2022.
- The rodeo code continued to be drafted.
- The deer code was assigned a code lead and was currently in the planning phase.

NAWAC were presented with and reviewed the draft dairy cattle code of welfare and code evaluation report. The committee were also delivered a presentation on pain relief responses in sheep by a livestock veterinarian who focuses on pain relief research. It was noted that pain relief fits in to all models of animal welfare and is a topic to be considered when reviewing codes of welfare.

Key items discussed at the 17 May 2022 meeting via videoconference were:

NAWAC were updated on the status of the Strengthening Codes work programme, including the progression of the poultry codes of welfare workstream. The committee also discussed a draft code of welfare of sheep and beef cattle.

As part of the committees’ efforts to make their meetings more open and transparent, a representative from Save Animals From Exploitation (SAFE) attended the NAWAC meeting as an observer. This was the first time the committee had public attendees since they began advertising their meetings as open to the public.

A special Codes Meeting was held on 8 August via videoconference which focused on codes under review.

Key items discussed at the 16 August 2022 via videoconference were:

NAWAC were updated on the status of the Strengthening Codes work programme, including the rodeo, deer, and sheep and beef code upcoming milestones. The committee also discussed how they could better prioritise their response and allocation of resources in responding to additional work. This discussion was continued at their November meeting. Other key items discussed included:

- Items for the NAWAC Annual Report 2022
- Sheep and Beef Code of Welfare
- Rabbit Code
- Deer Code
- Rodeo Code.

Key items discussed at the meeting on 15 and 16 November 2022 meeting held in Wellington were:

Key items on NAWAC's agenda included the development of the Credible and Trusted Adviser and Transparent Decision-Making work programmes, content for the committee's independent website, wildlife guidelines, and updates on the priority code reviews underway. The committee also discussed its work programme and meeting dates for 2023. This was also the first meeting for incoming Chair Dr Matthew Stone.

Report of the Joint NAWAC/NAEAC meeting (August 2022)

Each year the two committees hold a joint meeting during which they take the opportunity to explore issues of mutual interest. In 2022 the meeting was held in August but in the form of a webinar due to travel restrictions.

Presentations were on topics of specific interest to the committees:

- New Zealand Honeybee Care Code – Karin Kos (CEO ApiNZ)
- Honeybee health: The key stress factors and what we can do about them – Prof Phil Lester (Victoria University of Wellington – School of Biological Sciences)
- Cognition and “culture-like” knowledge transmission (over generations) in insects – Dr Mateus Detoni (Maanaki Whenua Landcare Research – Biocontrol and Molecular Ecology Team)
- Pain responses in insects – Prof Greg Neely (The University of Sydney – School of Life and Environmental Sciences)
- Emotion in invertebrates and bee sentience – Dr Andrew Crump (London School of Economics and Political Science (LSE) – Centre for Philosophy of Natural and Social Science)

Subcommittee reports

Wildlife Subcommittee

Chair: Nick Poutu / Dr Arnja Dale

The subcommittee's current priority is updating Guideline 09: Assessing the welfare performance of restraining and kill traps to ensure the integrity of trap test results. This is important to ensure that the traps are representative of welfare performance when they are in operational use in field. The acceptability, reliability, and welfare improvements of the test procedures are also critical. It is imperative that the guideline remains fit for purpose given innovation in traps. In order to achieve this, we have engaged with trap experts in New Zealand. Proposed changes include clarification around the testing of gas and electrocution traps, the addition of information to improve non-target species exclusion, the removal of field testing of kill traps, and guidance around acclimatisation periods for enclosure tests. The next priority for the subcommittee is the development of the good practice guidance for vertebrate pest control.

Rodeo Code Review Subcommittee

Chair: Peter Mason

During 2022 the Rodeo subcommittee continued to engage with stakeholders, including from academia, advocacy groups, and the rodeo industry to discuss feedback on an October 2021 stakeholder engagement document for the review of the rodeo code of welfare. This included discussion on 12 questions raised in the document and on a potential code of welfare that contained modified aspects of rodeo which the subcommittee suggested may be required to meet the purposes of the Animal Welfare Act 1999.

During the year, the High Court proceedings filed in 2021 by SAFE and the New Zealand Animal Law Association challenging the validity of the current Code and contending that rodeo activities contravene the Animal Welfare Act were heard. Justice Churchman dismissed the application for a judicial review and validated the 2018 Code under s 19(2)(b) of the Judicial Review Procedure Act. In his decision Justice Churchman acknowledged that it was for NAWAC to determine the status of rodeo activities vis-à-vis the Act within its Code review process.

Having received this decision, the subcommittee continued with its review of the Code, releasing a confidential pre-consultation draft Code at the end of the year for further stakeholder feedback and engagement in 2023.

Sheep and Beef Code Review Subcommittee

Chair: Dr Gwyneth Verkerk / Sandra Faulkner

The sheep and beef subcommittee saw a change of Chair towards the end of 2022. Sandra Faulkner moved into the role, as Dr Gwyneth Verkerk completed her term as NAWAC Chair. A huge thanks to Gwyn from the subcommittee for her leadership and dedication to this code review.

There were several areas of the draft code that the subcommittee dedicated significant time to understanding better. Meetings were held with industry stakeholders to discuss feedlots along with pain relief for tail docking and castration. A small working group specifically for dairy sheep was also brought together, to enable the subcommittee to better understand this rapidly growing industry and discuss the proposed minimum standards. The subcommittee has taken the feedback on board in developing the minimum standards for these areas of the draft code.

Dairy Cattle Code Review Subcommittee

Chair: Matthew Stone

The Dairy Cattle subcommittee has been leading the review of the Dairy Cattle Code of Welfare as an activity under Pillar I: Strengthening Codes of the work programme. In April 2022 the draft Dairy Cattle Code of Welfare and associated Evaluation Report was notified for public consultation. A total of 3065 submissions were received. In the second half of the year the subcommittee focused on considering policy positions relating to Minimum Standards and Recommended Best Practices for the most contentious matters in the draft Code. Late in the year a plan for further targeted consultation with key stakeholders who made submissions to further test revised policy positions on these most contentious matters was developed and implemented in early 2023. The Dairy Cattle subcommittee intends that the final reviewed Dairy Cattle Code of Welfare will be recommended to the Minister during 2023.

Deer Code Review Subcommittee

Chair: Mhairi Sutherland

An intensive review of the deer code began in April 2022. Meetings were held with the subcommittee, deer industry working group and MPI between April and August. Seven videoconference meeting were held altogether. In September 2022 the draft code went out for public consultation. In January 2023 the subcommittee reviewed all the submissions and undertook some additional targeted post-consultation engagement with some stakeholders. Due to the impact of cyclone Gabrielle on secretariat resources as well on some of the subcommittee members, the review of the code was placed on hold in February. As of June, the subcommittee is now active again and has requested further discussions with some stakeholders to better inform its understanding of some areas of the code, including provision of oxytocin at milking for milking hinds, weaning age, and pre-transport requirements for deer. It is planned that the draft deer code will be sent out for external peer-review towards the end of 2023.

Pigs Code Review Subcommittee

Chair: Dr Gwyneth Verkerk / Craig Johnson

The Pigs subcommittee continued to lead the review of the Pigs Code of Welfare following instruction by the Minister to develop new standards after the High Court, in 2020, ruled that the code standards relating to farrowing crates and mating stalls were unlawful and invalid. In 2022, NAWAC received ministerial approval for public consultation. The public consultation ran for 10 weeks and took place between April and July 2022. A total of 4,491 submissions were received. During the second half of the year the subcommittee focused on reviewing and considering those submissions with particular focus on the most contentious issues in the draft Code. Following submission review, a revised draft Code was shared with targeted stakeholders through a series of on-line meetings in late 2022 and early 2023. The code was further revised following feedback from those meetings and finalised for NAWAC's approval in May 2023. The code was recommended to the Minister for issue the same month.

Rabbit Code Development Subcommittee

Chair: Dr Arnja Dale

In August 2021, NAWAC received a draft code of welfare for rabbits which had been developed by RNZSPCA in conjunction with other organisations with an interest in rabbits. A subcommittee was formed and worked on this over 2021 and 2022, including targeted consultation. It was presented to NAWAC in August 2022 for approval to ask the Minister for permission to publicly consult. As this code was not supported by the secretariat due to resourcing, they requested to review it. We are hoping to progress this work in Q3 2023.

3 Es Subcommittee

Chair: Peter Mason

The Animals in Exhibition, Entertainment, and Encounter (3Es) subcommittee having completed its work in 2021 on the development of a 3Es Societal Cost/Benefit Analysis tool, which was subsequently published as NAWAC Guideline 15, had no further work during 2022 other than being an observer on the GRNZ Animal Health and Welfare Committee and liaising with the RIB on their review of the Greyhound Racing Industry. The Committee was subsequently renamed to the Greyhound subcommittee for 2023.

Business Subcommittee

Chair: Ruth Palmer

The Business subcommittee developed a new format for the NAWAC Annual Work Plan, which is now published on the NAWAC website. The work plan includes a full review and update of NAWAC's guidelines, under Pillar II: Credible and Trusted Adviser, of our strategic plan. This will be the focus of the subcommittee's work in 2023, along with maintenance of the NAWAC website.