



Farmer representatives

Toolkit for helping to deal with animal welfare issues

Acknowledgements

This is a practical toolkit for farmer representatives supporting farmers through animal welfare issues. It was developed with support from The Farm to Processor Forum to help improve animal welfare compliance in New Zealand.

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Disclaimer

This toolkit has been designed to provide practical guidance for farmers, farm industry representatives or industry group members who identify, or are asked to help resolve, an animal welfare issue on someone else's farm. It is not intended as legal advice or protection. If you are concerned about the welfare of animals, please contact your industry organisation, veterinarian or MPI.

Ministry for Primary Industries
Manatū Ahu Matua



Farm to Processor
Animal Welfare Forum



NZVA
New Zealand Veterinary Association
Te Pae Kīrehe



Deer Industry
New Zealand



Egg Producers
Federation of
New Zealand (Inc)



Poultry Industry
Association of
New Zealand (Inc)

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1 What this toolkit is for

This toolkit provides guidance for farmers and farming industry representatives who are asked to help sort out an animal welfare issue on a farm.

This toolkit has intentionally been kept very general and it is not meant to make you an expert in resolving all animal welfare issues. Resolving an issue may end up involving other people and may require specialised knowledge and skills. However, as someone local who the farmer can trust and talk to – i.e. someone who can act as a bridge between the farmer and other people with more technical knowledge – you can play a very important and positive role. Ultimately, all parties are trying to find the best solution, one that works for both the animals and the farmer.

This toolkit will:

- Help you understand:
 - how you might get involved in supporting a farmer to resolve an animal welfare issue;
 - responsibilities under animal welfare legislation; and
 - options when you identify an animal welfare issue.
- Provide suggestions for assessment of situations where animal welfare may be a concern.
- Provide guidance for conversations with a farmer about the welfare of their animals.
- Provide you with an understanding of what is involved in an animal welfare investigation.
- Provide background resources and support contacts for you and farmers to use.

If you see something that causes you concern, or someone else tells you of their concern and you are unable to help, you should refer the situation to a relevant industry organisation, a veterinarian, or the Ministry for Primary Industries (MPI).

If at anytime you would like advice, contact the national office of Federated Farmers, the relevant industry organisation, your veterinarian, or MPI.

Appendix three contains contact details for industry organisations.

Getting involved

Farmer asks for your support on the farm

Industry organisation asks you to help

MPI asks you to help

Get the details of the animal welfare situation: "who" "what" "where" "when" from the person who informed you of the (potential) incident

Preparation

Build your support network

Mentally prepare

Collect items to take with you to the farm

Going to the farm

If asked to come by the farmer, remember you are only allowed on the property as long as the farmer wants you there

If part of an industry response, you can only be there as long as the farmer wants you there

If part of an MPI investigation, wait for MPI to arrive before going onto property

Observing what is going on is key – have a look around and talk to the farmer to get their perspective on the issue – there are often underlying causes to animal welfare issues

The animals

The property

The management of the farm, staff and animals

The farmer and family

Possible hazards

Take notes of the above elements during or shortly after the farm visit

Form your own opinion of the situation and how it can be resolved

Things to keep in mind and tips for on the farm

Identify yourself

Actively listen

Maintain a positive attitude

Get help from others

You are there to support the farmer, not to solve all their problems

Facilitate action planning

Coming up with a workable solution

You can help to build a support network around the farmer including:

- family/friends/neighbours;
- rural professionals/advisers;
- financial manager/banker/accountant;
- lawyer/solicitor;
- Rural Support Trust coordinator;
- local industry representative;
- doctor or health care professional.

A support network can help with a range of on-farm issues (e.g. NAIT compliance, environmental issues), not just animal welfare issues.

Animal Welfare Inspectors have a number of options available to them. The end outcome is always to develop a prompt and workable solution that provides for the animals' needs and eases their pain and suffering. Involving an Animal Welfare Inspector does not necessarily mean the case will go to prosecution.





2 Getting involved

Under the Animal Welfare Act 1999, the owner or person in charge of an animal is responsible for meeting its physical, health, and behavioural needs. A person in charge is defined as a person who has the animal under their possession or custody, or under their care, control or supervision.

A potential animal welfare issue may come to your attention in a number of informal ways: one of your friends may say something when you're socialising together; a member of the public might come to you and express their concerns about what they see on a farm; or you could be driving along and notice something of concern on a farm.

Although this doesn't happen very often, a farmer may ask for your help early on, and you are their first point of contact. They may also ask you to become involved in an investigation that has already started. In either case, having a farmer ask you for help is the best situation to find yourself in. This means the farmer recognises there is a problem and wants to do something about it, which is a good starting point.

An industry organisation may ask you to support a farmer where animal welfare concerns have been identified.

You may be asked to join an MPI investigation, in which case your farming skills and knowledge, and your experience in dealing with farmers, will be very valuable when it comes to working out timely and practical ways of dealing with any issues.

Where to start?

In general, when faced with a potential animal welfare situation there are two things to sort out first:

1. Is there an animal welfare issue?
2. Who should the situation be referred to?

Is there an animal welfare issue?

Not all animal welfare complaints turn out to be an actual animal welfare issue; there are some complaints that are made out of a sense of genuine concern, but they reflect a lack of knowledge about normal farming practices (see page 10 on what to do if you are approached by a member of the public); and some complaints come from misunderstanding or heresy.

It is important to take some time to get familiar with the situation. This will help you work out if there is an animal welfare issue and if so, what the issue is. Even if there is no issue, perhaps the farmer could do with some support.

Who should the situation be referred to?

If, after taking time to get some background knowledge about the situation and you believe there is a genuine animal welfare issue, you could offer to help if appropriate. Otherwise refer it on to the relevant industry organisation, a veterinarian, or to MPI (**0800 00 83 33**).

The industry organisation, veterinarian, or MPI may then ask you to help resolve any animal welfare issue the farmer may have. Whether or not you become more actively involved is your choice.

Should I get involved?

Because getting involved is entirely voluntary, you need to ask yourself if you have the time and ability to get involved. Dealing with animal welfare issues can be stressful. You will need to find the right balance of supporting the farmer while still being professional and objective.

Although it may seem daunting, it can be very rewarding to play a part in turning a bad situation into a good one, and inexperienced farmers or those experiencing difficulties may appreciate tips on good farming practices.

Stop and ask yourself:

- Do I have the time to commit?
- Do I understand and have experience with the farming system?
- What relationship do I have with the farmer? Will my involvement jeopardise this or is our relationship the reason I should help?
- Am I comfortable taking on this role?
- Am I able to balance whatever emotions I feel with the need to be professional and objective?
- If I do become involved, what help might I need?

You and the farmer need to be clear about your role. While you have a support role, that support should not be unconditional. You need to set out clearly, right at the start, that although you are there for the farmer, you also have a duty to be neutral, objective, and honest. The farmer needs to know that you have to call it as you see it, even if it's something the farmer may not want to hear.

Farmer permission

It is important to note that you are only at the property at the request and consent of the farmer. Even if you are visiting at the request of an industry organisation, you can only be there with the permission of the farmer. If they do not give their permission for this, or change their mind at a later date, you must respect this decision and leave immediately.



Rural Support Trusts

Rural Support Trusts (RSTs) are charitable trusts run by local, rural people who know from experience that pressures can mount up on farm. There is a network of 14 Rural Support Trusts across New Zealand. Each trust is run by local people who know the area, are familiar with agribusiness and are well networked and trained in many facets of support for farmers.

Sometimes weather, finances, relationships, or a build-up of farming pressures may start to feel overwhelming. If more than a cup of tea and a yarn is needed, the RST can also connect the client with the professionals who can provide further support, including farming or business advice, financial information, health, mental health and counselling services.

Referral is easy:

The farmer themselves, or you as a concerned family member or friend, can call **0800 787 254** for a free, confidential chat.

For more information go to: rural-support.org.nz

If approached by a member of the public

If members of the public report something they see to you, they are usually doing this out of a genuine sense of concern. The best approach is to acknowledge their concern and find out more about the situation.

This will help you determine if there is an animal welfare issue, and in some cases, there may not be. This is because some people have less understanding of current farming practices, especially if they are outside the industry. They may report something that is genuinely distressing to them but is not an animal welfare issue. For instance, someone driving down a country road may report a brown paddock with stock in it, not recognising this as break-feeding.

This is why it is vital to learn about the reality of the situation. It may also be wise, with the consent of the member of the public, to get their contact details so you can make a follow-up call. This acknowledges the person has done the right thing by stepping forward, lets them know that something's being done, and is an opportunity to educate the person that what they reported is current farming practice or an animal welfare issue.

3 Assessment when animal welfare may be a concern

If you become aware of an animal welfare concern, the following points should be considered prior to visiting the farm:

- Who is the farmer or owner of the animals?
- Where is the farm?
- What appears to be the problem?
 - The type and number of animals involved.
 - The time of year in relation to farming practices.
 - The type of problem e.g. skinny animals, lack of feed, ill-treatment.
 - Climatic factors.
 - Availability of feed/resources.
 - Are there dying animals that need immediate assistance?
- When did it happen/how long has the potential problem been going on?
- Do you know of anything going on within the farmer's home or family that may have contributed to this, for example, illness, divorce, etc.?
- If the concern is raised by a member of the public, what is the relationship between this person and the farmer? How did they find out about this incident?
- If the concern is from a member of the public, do they want to stay involved, if it is appropriate? Their identity should remain confidential unless they specifically give permission for the farmer to be advised.

If there is a problem, your role is to help gather the appropriate resources and people to ensure that the animal welfare issues are dealt with promptly and in a workable way, or refer the issue to an industry organisation, a veterinarian or to MPI.

Keep in mind that...

- Animal welfare incidents can be the result of financial pressures, climatic conditions, breakdowns in personal or business relationships, illness or a death, fear or feelings of failure, or a lack of support or knowledge (or all or some of the above). Carefully listening to the farmer will allow you to understand the situation. People pick up on how they are being listened to. So, the more someone feels listened to and respected, the more quickly they can start thinking about what to do next.
- Your assessment of the situation and any advice you decide to give to the farmer should be independent and objective. Even if you are invited by the farmer or asked to be his or her support person, you need to retain that objectivity and honesty if you see things that aren't right.
- The benefits of involving others include allowing you to have an overview of the situation, while still enabling you to be a supportive and neutral sounding board for the farmer. Involving others may also result in the issue being fixed more quickly.

If you are contacted by the farmer during an investigation

If an animal welfare investigation is already taking place at the farm, and the farmer has asked for your support, your main role will be supporting the farmer in a friendly but neutral way. It's not likely you will be there to give husbandry advice, although it's likely your opinion will be sought. Every animal welfare situation is different, so you will need to use your own judgement on how best to support the farmer.

For example, if the farmer won't listen to an Inspector and their suggestions, you may find you have to act as a bridge between the two and try to diffuse any tensions. To be that bridge or tension-diffuser, you have to be seen as a neutral and clear-headed voice by all parties. This is why it's important you think through your opinion of the situation and have a clear and objective view of whether a problem exists.

What to take with you on a visit

When you prepare for a farm visit, bear in mind that you may be on the farm for some hours, so it's sensible to let someone know where you are going and when you plan to be back.

Things you may find useful during your visit include:

- ☐ suitable protective clothing and footwear;
- ☐ notebook, pen and business cards/identification;
- ☐ your mobile phone with a camera/video;
- ☐ food and drink;
- ☐ an open mind;
- ☐ this toolkit.

Why you are there

The core obligations on people who own or are in charge of animals are to provide for the animal's physical, health, and behavioural needs and to alleviate pain or distress. It is not your job to solve all their problems for them.

You are there to:

- help identify whether an animal welfare problem exists;
- remind the farmer of their obligation to provide for their animals;
- help the farmer clearly communicate if there are others present (e.g. farm staff, rural professionals/contractors, MPI etc);
- discuss possible solutions to any problems;
- help the farmer to develop an action plan that results in a workable on-farm solution;
- access resources and other support for the farmer when needed.

It's up to the farmer to take ownership of any action plan designed to fix the problem. While you may advise and discuss the options with them, the farmer needs to be the one who makes the specific decisions about what actions are practical and workable for them. It's their farm and their animals.

Remember, even if you were invited onto the farm by the farmer, you can only stay there with their permission. If they ask you to leave, you must do so.

Appendix two provides a more detailed guide to the types of things you may notice and record, and some examples of questions you may want to ask.



4 Engaging with the farmer

When you are talking with the farmer you need to be able to establish a good personal relationship. You want to avoid misunderstandings and conflicts and encourage the farmer's co-operation and understanding. It's important to go into this kind of situation with a positive attitude and treat the farmer as you would expect to be treated. Avoid grilling the farmer and keep most questions for clarification purposes. The objective is to work together to achieve a practical workable solution for the farmer and the animals.

Think about how and where you might broach tough subjects. It might be easier for the farmer to talk while walking around the farm, rather than sitting at their kitchen table or with other family members present.

Animal welfare issues can be very complex and are likely to be quite emotional for everyone involved. The discussion could get heated. If this happens, try to defuse the situation through your language and actions. It might also be a good idea to get the farmer to move away from the immediate area until everyone can compose themselves.

There are some personal skills that can be helpful in these situations to minimise conflict. By practising and applying the principles of E.A.R. (Empathy, Attention, Respect) you can become a better listener and support person in any situation.

Using the principles of empathy, attention and respect

Empathy

Empathy is about understanding how someone else feels and trying to imagine how they are thinking and feeling.

Some examples of language used could include:

- "Help me understand what your plan is for..."
- "I can only imagine how this must be for you..."

Attention

There are three aspects to this:

1. Listening rather than talking.
2. Acknowledging.
3. Questioning.

Listening rather than talking

Listen to learn rather than making too many judgements as you talk to the farmer. Let the farmer know you are listening and encourage them to openly talk to you.

Techniques include:

- reflection (saying words/phrases back to the farmer);
- summarising ("So, my understanding of what you have been saying is...");
- paraphrasing ("You seem to be saying that...").

Acknowledging

Let the farmer know you have listened carefully, and that you understand/value their contribution – even if you don't necessarily agree with them.

For example:

- "This sounds like an interesting plan; can we have a closer look at it..."
- "I appreciate you inviting me for a visit..."
- "Thanks for your patience during what can't have been an easy conversation for you."

Questioning

Be curious but respectful. Open questions work well:

- "Could you tell me a little more about..."

As does taking the stance of a curious questioner:

- "What are your thoughts about...?"
- or "I'm wondering if...?"

Respect

It's important to be non-judgemental in both your content and tone, no matter how strong your personal views may be. Some ways you can do this are:

- **Avoid assumptions**

For example:

- "Please correct me if I'm wrong."
- "Let me see if I understand what you are saying."
- "Could I ask you a few questions to see if my facts are straight?"

- **Accept different views**

For example:

- "We seem to have a difference in opinion here... could you help me understand your reasoning behind your view?"
- "Could I explain why I have a different view?"

- **Invite rather than demand**

For example:

- "Could I ask a few questions to see if I have got my facts straight?"
- "Would you be willing to meet with me to talk about what we might do?"

However, if the farmer appears uncooperative or aggressive, leave. Your safety is paramount.

If the farmer seems unwilling to fix the problem, you should leave and refer the situation to the relevant industry organisation, veterinarian, or MPI.

Remember: The objective is always to come up with a timely and workable solution that provides for the animals' needs and eases their pain and suffering.

Learn about the farm, the farmer, and the situation

When you are visiting the property, you will learn a lot by just looking around the farm, letting the farmer talk freely, and listening carefully to what the farmer says.

In general, you should learn about their animals, property, infrastructure, relationships, and the farm management system.

To build a rapport with the farmer, it may be useful to comment on something that looks good such as a healthy mob of animals, or to acknowledge something that has been going on, such as family member falling sick.

When appropriate, take notes on key facts and figures, but avoid arriving with a clipboard and checklist. Instead, write down extra notes after the visit while things are still fresh in your mind. This will make discussing a solution with others at a later date a lot easier. It can also help you assist the farmer to develop a realistic action plan. In addition, you can refer to these notes if a legal intervention eventuates.

Some useful questions that you could ask include:

- **How is your feed situation at the moment and how does it compare with last year?**
This may help you determine whether the farmer recognises the farm has a feed shortage, and what (if any) plans have been put into action, for example, engaging a farm consultant to do a feed budget, getting grazing, buying in supplements, and/or selling stock.
- **Have you had trouble getting good staff to help out on the farm?**
This may give you some insight into the current workload of the farmer and whether staff issues have contributed to the situation.
- **How has the farm been going financially? Do you do your own GST or use your accountant?**
This may give you some idea of the farmer's financial management skills and any potentially serious financial problems.
- **Do you have a vet you normally deal with?**
This may give you an indication of when a vet was last on the property and to what extent animal health products are used, for instance, drenches, vaccines, annual consultation for drugs, past animal welfare problems etc.

- **Does your partner work with you on the farm? Who is responsible for what jobs?**

This may help you to determine who else is involved in the running of the farm and care of the animals, for example, managers, casual labour, family etc.

- **How has your season gone?**

Figures on animal weights, number of pregnant/dry stock, milk production, lambing/calving percentage, mortality rate etc. may give you an indication of whether there is a problem and what it might be. Unrealistic figures may also indicate that the farmer is out of touch with or in denial about the situation.

Appendix two provides a more detailed guide to the types of things you may notice and record and some examples of questions you may want to ask.



Build a support network

If the farmer acknowledges a problem exists, and is willing to do something about it, building a support network for the farmer to access is a very effective way of providing assistance.

Start by asking the farmer if they have people that they can call on. If they have had this or a similar issue in the past, they might already have people who can help them. Building a support network based on people the farmer already knows and trusts should lead to a faster resolution of the issue.

Some suggestions for people to include in the network are:

- Local and/or national industry representatives
 - Finding and putting in place solutions is easier when there is more than one set of eyes and ears present.
 - A suitable person will be someone you respect and know to be trustworthy, discreet, easy to work with, and a good listener.
 - Another person can bring a different perspective to the situation and be a sounding board for you. They should also have the approval of the farmer to be involved, as confidentiality is essential.
- Local veterinarians.
- Contractors* in the area who can:
 - muster/shear/dock/milk animals, or fence, clear paddocks/sheds etc;
 - deliver feed to the farm at short notice;
 - graze/house livestock for short periods of time.
- Industry contacts who are willing to help find solutions or who can redirect you to someone who may be more useful.
- Rural professionals*, for example, farm consultant/adviser; stock agent; financial manager/banker/accountant; lawyer/solicitor.
- Family, friends and neighbours who can lend a listening ear. Remind them that they must be discreet about any information they receive.
- Rural Support Trust coordinator.
- Doctor or health care professional.

***Note:** If payment is required for such services it needs to be negotiated and agreed beforehand with the farmer and supplier, and if appropriate, Federated Farmers, Rural Support Trust, the relevant industry organisation or MPI.

When putting the farmer in contact with any of these people you are giving the farmer options and tools (as opposed to just advice) for dealing with the problem themselves. This self-help approach is more likely to generate a long-term solution. It's also more likely that the issue won't repeat itself.

If you are privy to confidential information about a farmer, you cannot disclose this information to anyone else without the farmer's consent. Therefore, if you are contacting other people to set up a support network you must have the farmer's permission to do so. This can be as simple as asking, "I am hearing from you that you may like some support with... Is it okay if I ring the RST on your behalf as they are a confidential service that can connect you with a facilitator and possible support options?"

Give the farmer some time to work with their support network. Go back and visit to make sure that a workable solution is in place – this visit should be within a few days, not weeks or months. The farmer will hopefully see your visit as a sign of support and see you as part of their network.

If you go back to the farm and you think things are slipping again or that the farmer isn't following through on the action plan, then you are strongly advised to contact a MPI Inspector (**0800 00 83 33**) and/or an industry group representative.

If a farmer is unwilling to co-operate, walk away and contact MPI.

Appendix three contains contact details for industry organisations.



5 MPI asks you to be involved with an investigation

MPI's approach

MPI's main aim in situations like this is to put in place a workable on-farm solution which enables the farmer to take control of and manage the situation.

The focus is on putting a solution in place as easily and quickly as possible and working alongside industry organisations and farmers to make this happen.

MPI favours an educational approach. For instance, if a problem is identified early or is relatively minor, the preferred approach is to educate the farmer, with the ultimate aim of making sure a similar problem does not happen again and the farmer meets their animal welfare obligations.

Joint approach

An MPI investigation backed up by industry expertise is more likely to lead either to a workable solution the farmer can use, or to the confirmation that there is no problem with the care and management of the animals.

You are an important part of this joint approach. Your farming skills and knowledge (for example, in dealing with livestock), and your experience in dealing with farmers, will be valuable when it comes to working out a timely and effective way of fixing the issue.

Coming up with a workable solution to the animal welfare issue is the ideal outcome. However, if the farmer refuses to co-operate, MPI may need to take enforcement action.

In the interest of overall balance and fairness, you are encouraged to have your own opinion of the situation on the farm and share it with the Inspector.

The Inspector may ask for your help in developing an action plan which the farmer can use to fix the problem.

You may be asked to give:

- an evaluation of the overall management of the farm and the animals considering the local conditions;
- your view of workable solutions to the problem;
- contacts of local rural professionals/financial managers/neighbours/family and others who could be of help.

You are not obligated to become involved in an investigation. If at any time you are uncomfortable or do not think you are the right person to be involved, tell the Inspector.

However, if you are a witness to an incident, you may be asked to give a statement to the Inspector, whether you are officially part of the investigation or not.

Your role in an investigation

Going to a farm in these situations is not always easy.

As you are on the farm as part of a MPI investigation you may only remain on the farm while the MPI Inspector is also present.

One of the keys to a successful farm visit is to be clear about your role and the roles of others. Keep in mind the basis for each party's involvement in the incident and be respectful. Seek clarification of your role if you are unsure.

People who own or are in charge of animals have the responsibility to provide for the animal's physical, health, and behavioural needs and to alleviate pain, suffering or distress. It is not your job to solve all their problems for them.

Engage with the farmer

When talking with the farmer you should aim to establish a solid relationship so you can work together and come up with practical and workable solutions that the farmer can successfully follow.

Section 3 contains guidance on engaging with farmers in what can sometimes be stressful situations.

Working with an Animal Welfare Inspector

An Animal Welfare Inspector will follow procedures that are guided by the Animal Welfare Act 1999 and the codes of welfare.

If you are part of an investigation, you are under the power of an Inspector. You will be briefed beforehand about the incident and given instructions and guidelines to follow while you are on the farm. You are only allowed to be on the property when an Inspector is present.

You may be exposed to confidential MPI procedures, and it is important to respect this confidentiality. You may also be asked to serve as a non-expert (lay) witness in the event of a court case.

The Inspector's role

The Inspector has a statutory obligation under the Animal Welfare Act 1999 to ensure that people care for their animals properly. Their role and the perspective they bring to an incident is also guided by the codes of welfare and any regulations that may apply.

An Inspector's core responsibilities with respect to farming are to:

- mitigate pain and distress of animals;
- investigate breaches of the Animal Welfare Act 1999, including referring to codes of welfare and regulations;
- assist the farmer to come up with practical and workable solutions to any welfare problems. Ideally, these solutions prevent the problem from happening again;
- educate farmers and people in charge of animals about their obligations regarding the care of animals;
- uphold and adhere to the Bill of Rights and Privacy Act at all times;
- conduct any investigation in a fair and reasonable manner.

Animal Welfare Inspectors have a range of tools available. What tool they use depends on the circumstances. These tools are based on an escalating approach. For instance, an educational approach, including referral to industry-based programmes (such as PigCare), may be used when the situation is minor and easy to resolve. In other cases, the severity, scale, and motivation of the farmer to resolve the issue may require the use of regulatory tools such as section 130 notices and enforcement orders.

After the initial investigation, Inspectors have the following options:

- Close the file because there is no animal welfare problem, or the desired result is achieved, and no further action is recommended.
- Do formal or informal follow-up visits to check on progress towards putting in place the action plan.
- Write an educational letter to the farmer as a way of reinforcing what the Inspector has discussed with the farmer, and as a reminder of what actions the farmer needs to undertake.
- Issue an official warning.
- Recommend the file for prosecution. The Inspector may choose to do this:
 - when there is clear evidence of serious offending against the Animal Welfare Act 1999; and/or
 - if the farmer fails to put in place the suggestions/ instructions of the Inspector.

Animal Welfare Inspector operating procedures:

When an Inspector comes onto the farm they will:

- identify themselves as an Animal Welfare Inspector, and present evidence of their appointment as an Inspector;
- outline the nature of the concern, i.e. why the Inspector is there and how the Inspector would like the visit to go;
- advise the farmer of their rights and options;
- offer to help the farmer access support;
- be fair and reasonable throughout the investigation process;
- be clear about what is expected of the farmer, i.e. set clear and achievable outcomes;
- advise the farmer about the outcome of the investigation following its conclusion (that is, no further action, education letter, warning etc.).

After you have helped with an incident

Do not be afraid to seek support if you are struggling with the aftermath of helping out. Animal welfare incidents are stressful events, and it is important to look after your own mental health.

Do not bottle up your feelings. The Inspector you worked with, the Rural Support Trust, your local place of worship or community leader, doctor, counsellor and your friends and family may be important resources if you, or others, need support.

If there is a court case

The welfare of animals in many situations can be improved by telling the farmer that there is an issue with the way they are taking care of the animals and helping them to change their practices. Very few animal welfare incidents actually end up in court, as most end with a workable solution that meets animal welfare requirements and protects the welfare of the animals.

There are some cases that will go all the way through to prosecution. For example:

- when there is clear evidence of serious offending against the Animal Welfare Act 1999; and/or
- if the farmer fails to put in place the suggestions/instructions of the Inspector.

Whenever possible, the Inspector will tell you when the animal welfare incident you are helping with is likely to end up in court.

Take notes following your farm visit to record what you saw, heard and/or advised. If you are requested to be a witness in court, you will be allowed to refer to these notes. MPI will be able to provide more guidance on what to expect.

If you are asked to be a witness:

- be prepared, so you have the facts clear in your head, as you may be cross examined;
- use language and definitions you are familiar with, and terms you can easily define during a cross examination;
- talk about the incident in a chronological manner and try to cover the "who", "what", "when", "where", "why" and "how".



6 Media interest

Politely refer any media enquiries to MPI or the relevant industry organisation (you can also contact these groups for advice).

Media attention, including social media and online chat, is not desirable for animal welfare issues because it can detract from developing the on-farm solution, and it is very difficult to portray the complexity of the situation in the media. Releasing information can affect the individual's right to a fair trial if one is subsequently necessary.

If you are formally involved in an investigation, refer all media enquiries to the Animal Welfare Inspector on the case.

If details of the case or your involvement are raised on social media, it is advisable not to respond to these comments. If you feel you are being harassed or bullied on social media, report this to MPI, the relevant industry organisation, or the police. The Harmful Digital Communications Act 2015 provides protection in these circumstances.



Appendix one: relevant legislation

The Animal Welfare System

Animal Welfare Act 1999

- High level obligations to provide for an animal's physical, health, and behavioural needs.
- High level offences and penalties for the most serious cases.

Regulations

- More specific than the Animal Welfare Act.
- More directly enforceable than the codes of welfare.
- Low to medium level penalties for lower level offending.

Codes of welfare

- Detailed minimum standards for specific species and situations.
- Reflect good practice and scientific knowledge.
- Not directly enforceable, no attached offences.

Animal Welfare Act 1999

The primary focus of the Animal Welfare Act 1999 is to ensure a duty of care to animals. The 2015 amendment to the Act included recognition that animals are sentient. This inclusion acknowledges that animals have the capacity to experience positive and negative states.

Under the Animal Welfare Act, people who own or are in charge of animals have an obligation to meet an animal's physical, health, and behavioural needs. They must also ensure that the animal receives treatment that alleviates any unreasonable or unnecessary pain or distress or is humanely euthanased promptly.

The Animal Welfare Act requires that the physical, health, and behavioural needs of animals are met in accordance with both good practice and scientific knowledge. The Act does not specify good practice or scientific knowledge, instead, codes of welfare dealing with specific animal types or activities contain minimum standards that must be met, along with example indicators, recommended best practices and some advice on care and management of animals.

Codes of welfare are freely available for download from the MPI website.

Go to: mpi.govt.nz/all-animal-welfare-codes

Not complying with the requirements of the Animal Welfare Act can lead to a prosecution and result in substantial fines or even imprisonment. Not complying with code of welfare minimum standards can be evidence to support a prosecution. Adherence to a code of welfare can likewise be used as a defence.

Regulations have been in place since 2016. For example, the requirement to use pain relief for disbudding calves, tail docking length in sheep and various requirements for the transport of animals. A breach of a regulation may result in an infringement notice and fine, or depending on the regulation, may result in a prosecution.

Privacy Act 2020

Under this Act, if you are privy to confidential information about a farmer, you cannot disclose this information to anyone else without the farmer's consent. Therefore, if you are contacting other people to set up a support network you must have the farmer's permission to do so.

The only exception is if you believe that requirements of the Animal Welfare Act have been breached you can report this to an Animal Welfare Inspector.

Appendix two: things you may notice or ask on farm

While you are on the property, you will notice a lot by just looking around the farm, letting the farmer talk freely, and carefully listening to what the farmer says. Sometimes, just being a friendly and objective sounding board will enable you to find out most of what you need to know.

The following examples are only a guide. Do not feel like you must ask every single question, or interrogate the farmer. There may also be other things you see and want to ask about.

The animals

Basic details

- Type, breed, sex, age, tag numbers (if only a small number of animals), stage of life cycle.
- Some examples:
 - "How many pigs are you sending to slaughter each week?"
 - "How many cows are you milking at the moment?"
 - "When are these ewes due to lamb?"

Accessibility and adequacy of

- Water.
- Feed.
- Shelter.
- Veterinary care.
 - "Have you been able to get a vet out to your place recently to examine these cows?"

How do the animals appear to be suffering?

- Malnourished/dehydrated.
- Do not have proper access to shelter.
- Sick or injured.
- Generally neglected.

The property

Is there any evidence of dead stock on the property? Are the yards, paddocks and housing suitable for the animals?

- Approximate size of the property.
- State of fences.
- "How about going for a walk/drive around the farm?"

Facilities

- To feed/water/milk the animals.
- To handle the animals properly.
 - "Where do you dock/tail your lambs?"
 - "Where do you keep your new-born calves?"
 - "Where do you load out your pigs?"
- Is cleanliness an issue?
- Overall order of the property.
- Ownership of the land/buildings/animals.
 - "Are you in a share milking agreement?"

Managing the farm and its animals

How is their ability to:

- Properly check the animals.
 - "Have you been able to get out to your sheep on a regular basis, considering the wetness of the tracks/your health/your busy schedule with your off-farm work?"
- Assess the animals' wellbeing and accessibility to the help of a veterinarian.
 - "Do you have a vet who you normally deal with?"
- Manage feed and supplements.
 - "Do you have a regular supplier of feed and minerals?"
- Manage the finances of the operation.
 - "Do you have an accountant to help you manage the farm accounts, and finances in general?"
- Manage staff.
 - "Have you had any issues with staff?"

The farmer and their family

What role do other family members play in the farming operation?

- "Does your partner work with you on the farm?"
- Note that if the farmer works closely with a partner try to meet and talk to the partner as well.

What is the farmer's general state...

- Of mind?
- Of health?
- "How are you getting on with [...] in your life?"
- "You seem to be coughing quite a bit, have you been able to see a doctor about that lately?"

How much time is available for taking care of the animals and the farm?

- Does the farmer have off-farm work?
 - "You mentioned the work you do in town, has that been stretching you?"
- Are there any family related issues?
- Does the farmer live on the farm?

Possible hazards

The following types of hazards will also be of interest to anyone else coming onto the farm, for example, an Inspector.

- Loose dogs that may or may not be friendly.
- Aggressiveness of the farmer.
- The presence of firearms on the property.
- Risk related to:
 - careless storage of chemicals;
 - easily communicable animal diseases.
- Slipperiness of access tracks and paddocks.

Be prepared to give your judgement as to how the farmer has managed any adverse events with regard to maintaining a minimum standard of care of the animals.

Adverse events can include:

- climatic conditions – storms, droughts, flooding, snow;
- scarcity of feed available in the area;
- personal matters – financial issues, emotional, health related.



Appendix three: further resources

Support services

Rural Support Trusts are based in rural communities throughout New Zealand. They are there to help people and families in the wider rural community who experience an adverse event – climatic, financial or personal – to more effectively meet and overcome these challenges. Services are free and confidential.

Call **0800 787 254** or go to rural-support.org.nz to get in touch with your local Rural Support Trust.

In some large-scale recovery or stock welfare operations, central government may appoint a short-term Recovery Coordinator. Their main role is to coordinate the initial stages of large-scale recovery operations by central government. The role of the coordinator is to give short-term support to local initiatives, not to replace them.

The Family Services Directory website has a useful database of contact details for different support organisations for families. Go to familyservices.govt.nz

Industry groups can also provide support, advice and resources.

Veterinarians Toolkit for dealing with animal welfare issues

Veterinarians have a special professional obligation to promote good animal welfare practices, report cases of non-compliance, and assist in resolving issues. The *Veterinarians Toolkit for dealing with animal welfare issues on farms and lifestyle blocks* has been developed with the New Zealand Veterinary Association to support practice veterinarians working alongside farmers to resolve animal welfare issues.

It can be downloaded from the MPI website at: mpi.govt.nz/dmsdocument/5758/direct

Contact details

Having a list of key contacts who are willing and able to help you obtain more information and/or work through an issue is very valuable. Ideally, your support network will include people who will either be able to join you on the farm, give you advice and support, and/or redirect you to others for advice.

Use this section to fill in the contact details relevant to you.

MPI Animal Welfare Concerns

📞 0800 00 83 33

🌐 mpi.govt.nz/report-animal-welfare-concern

Local Animal Welfare Inspector _____

Federated Farmers

📞 0800 Farming (0800 327 646) for members or (07) 838 2589 for non-members or refer to the Federated Farmers Directory for direct numbers.

🌐 fedfarm.org.nz

Local Provincial President _____

NZPork

📞 0800 NZPORK (0800 697 675)

✉️ info@pork.co.nz

Local Representative _____

Deer Industry New Zealand

📞 (04) 473 4500

✉️ info@deernz.org

Local Representative _____

DairyNZ

📞 0800 4 DAIRYNZ (0800 4 324 7969)

✉️ info@dairynz.co.nz

Local Consulting Officer _____

Beef + Lamb New Zealand

📞 0800 BEEFLAMB (0800 233 352)

✉️ enquiries@beeflambnz.com

Local Extension Officer _____

Egg Producers Federation of New Zealand

📞 (09) 520 4300

Poultry Industry Association of New Zealand

📞 (09) 520 4300

✉️ info@pianz.org.nz

NZ Equine Health Association

Can assist with finding resources to support equine health and welfare for all types of horses.

✉ info@nzeha.org.nz

Lifestyle Block website

Contains information on a range of topics for lifestyle block owners.

🌐 lifestyleblock.co.nz

Farmlands Lifestyle Block guide

Provides information on the care of a range of species.

🌐 farmlands.co.nz/Productsandservices/Lifestylers

Emergency planning

Information about preparing an emergency plan for major disasters that could affect animals and people on farms and lifestyle blocks can be found on the MPI website.

🌐 mpi.govt.nz/animals-in-emergencies

Dairy Women's Network

🌐 dwn.co.nz

Rural Women New Zealand

📞 0800 256 467

MPI On Farm Support

📞 0800 707 133

✉ onfarmsupport@mpi.govt.nz

🌐 mpi.govt.nz/on-farm-support

Your local contacts

SPCA

Veterinarian

Agricultural contractor

Trucking firm

Shearing

Fencing

Bank/financial adviser

Stock and station agent

Feed supplier

Farm consultant

Rural adviser

To report animal welfare
concerns contact the
Ministry for Primary Industries

0800 00 83 33

If you suspect an exotic animal disease,
report it immediately to the
**Biosecurity New Zealand exotic pest
and disease hotline**

0800 80 99 66

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