



Your strong and independent
voice for livestock producers

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SUBMISSION

19 February 2023

General Manager, Strategy and Policy
Veterinary Services Bill Consultation
GPO Box 1671
ADELAIDE SA 5001

Via email: PIRSA.VeterinaryServicesBill@sa.gov.au

Dear Sir / Madam

Re: Draft Veterinary Services Bill 2022

Livestock SA is the peak industry organisation for South Australia's red meat and wool industries. There are over 5,200 sheep producers and more than 2,700 beef cattle producers in the state. With a membership of over 3,500 sheep, beef cattle and goat production businesses, we work to secure a strong and sustainable livestock sector in South Australia.

The red meat and wool industries are the backbone of South Australia's livestock and meat processing sectors, which contribute \$5.4 billion annually to the state.

Livestock SA is a member of Primary Producers SA (PPSA) and is the South Australian representative member of four national peak industry councils: Sheep Producers Australia, Wool Producers Australia, Cattle Australia and Goat Industry Council of Australia. Through PPSA and the Peak Councils, Livestock SA is also a member of the National Farmers' Federation.

Livestock SA welcomes the opportunity to provide a submission to the development of the Veterinary Services Bill 2022 for South Australia, which is important to our members.

Background

Veterinarians provide a critical service to our members across South Australia. Livestock SA supports the initiative to update the current veterinary services legislation to address identified shortfalls and better reflect contemporary livestock production practice.

In rural and regional Australia there is currently a shortage of veterinarians with large animal husbandry expertise. Those practising in farming communities are stretched beyond capacity, which has implications for critical animal husbandry and welfare practices and the increasing biosecurity challenges our industry faces. Amendments to the veterinary services legislation need to make it easier for livestock producers to access veterinary services. This includes, but is not limited to, increased graduate availability, easier returning veterinary registration procedures and exemptions

for procedures that don't need a veterinarian if carried out by a suitably experienced and qualified person.

Our sector's ability to meet 2030 production and export goals rely on the achievement of targets articulated in the South Australian Beef and Sheep Industry Blueprints – strategic documents developed by stakeholders from across the sheep and beef cattle industry value chains. Both blueprints draw on evidence-based best practice animal husbandry techniques, genetic improvement, breeding expertise and animal welfare, health and nutrition management, all of which rely on the ability to access reliable and trusted veterinary expertise. The lack of skilled workforce in rural areas is a primary factor limiting agricultural (including livestock) production, which in turn impacts rural communities.

Whilst the proposed Veterinary Services Bill 2022 goes some way to addressing the urgent need for more rural veterinarians, including expanding the ability of appropriately skilled non-veterinarians to perform procedures previously restricted to veterinarians, we encourage a critical assessment into how the new legislation can be safely broadened even further. Additional policies outside of the scope of this legislation should be also pursued and Livestock SA asks the South Australian Government and the veterinary profession (including the Veterinary Services Board and The University of Adelaide) to:

- Proactively recruit veterinary science course applicants willing to practise as large animal vets in the rural areas (e.g. reduced ATAR requirements for country applicants and those with a genuine interest in rural veterinary practice).
- Increase the number of veterinary science students wanting to become large production animal specialists (e.g. amend the existing course to make it possible to reduce HECS fees for veterinary science electives relating to large farm animals).
- Offer incentives to rural and remote practising veterinarians to host students for extended placements.
- Incentivise new graduates to work in large animal veterinary practices in the rural areas (e.g. reduction in HECS debt for every year they provide veterinary services to livestock producers in rural and remote areas).
- Incentivise experienced veterinarians to relocate to large animal practices in rural South Australia by funding training in large livestock animal specialisation, and by providing monetary incentives. (Note: SA Health is now proposing to employ some GPs in rural areas in the hope of assessing workforce shortages in medical practices – the South Australian Government could consider something similar for veterinarians).
- Provide financial assistance to new veterinarians starting up practice in rural and remote locations to service livestock producers for the establishment of an appropriately equipped 'premises' (in the broadest sense of the definition) and diagnostic / surgical equipment.
- Collaborate with the Australian Government and other South Australian Government Departments, relevant professional associations and peak bodies to develop joint initiatives aimed at resolving the broader issues preventing the relocation of professionals to rural locations including housing availability, medical and education services etc.

Livestock SA welcomes the opportunity to discuss our concerns with interested collaborators and looks forward to reviewing the supporting draft Veterinary Services Regulations in due course.

Response to the Draft Veterinary Services Bill 2022

Note: Where specific reference to a Part, Division or numbered Section in the draft Bill is not included in this submission, it should be taken that Livestock SA supports the draft wording proposed and has no further comment to make.

Part 1 - Preliminary

3 – Interpretation

Livestock SA supports the change in wording from ‘veterinary treatment’ to the broader ‘veterinary service’ which better reflects contemporary veterinary practice. Livestock SA welcomes the changes to the definition of ‘veterinary services’ to allow common non-invasive livestock husbandry practices (such as dehorning) to be performed by an appropriately trained stockperson without veterinary qualifications.

Livestock SA further supports the removal of reference to Laparoscopic Artificial Insemination (LAI) (and other specific invasive procedures) in the Act, with the ability to continue to permit invasive procedures which are currently performed by a non-veterinarian (such as non-surgical Artificial Insemination) by excluding the procedure from the definition in the supporting Regulations.

Part 2 - Veterinary Services Regulatory Board of South Australia

Division 2 – Membership

6 - Composition of Board

Livestock SA supports the amendments to the Board which are in line with other registered health practitioner Boards, including the change of Presiding Board member from a legal practitioner to a qualified veterinarian.

Livestock SA assumes that when the Bill states “*The Minister should, as far as reasonably practicable, endeavour to ensure veterinarian members have the skills, knowledge and experience in the following areas: (6 dot points)*”, the intent is in fact that the combined skills of the six veterinarian members satisfy the list of required skills and expertise.

Livestock SA welcomes the requirement to appoint a veterinarian with ‘*rural mixed or production animal practice*’ to the Board. However, we stress again that there are unique challenges to providing veterinary services to large production animals in remote and regional SA. The driving distances are huge, hours are long, conditions often physically difficult, and professional and personal isolation presents its own mental health challenges. Whilst a veterinarian providing services to intensive pig or poultry units within 50km of Adelaide would satisfy the Board membership requirements under the Act, we do not believe it would be adequate to fully represent the needs and views of the vets our rural and remote producers work with on a daily basis.

Recommendations

Make it a requirement under the Act for at least one of the six veterinarian Board members to have experience providing veterinary services to large livestock producers in rural and remote Australia.

Consider requiring one of the non-veterinarian members to have experience and expertise in a broader animal health context, such as animal welfare or biosecurity.

Division 3 – General functions and powers

16 – Directions by Minister

Livestock SA notes the draft Bill includes a new section enabling the Minister to give written direction to the Board and the parameters around such a direction. We request examples of when or why such a direction may be required so we can make an informed comment.

Part 4 – Registration of Veterinarians

Division 2 – Primary Registration

39 – Registration of natural persons on general or specialist register

Livestock SA welcomes the proposed inclusions under this section which have the potential to go some way to increasing the availability of veterinary services for our members, specifically:

- Allowing veterinarian graduates who have successfully completed academic requirements to practise while waiting for their degree to be conferred;
- Allowing limited registration for interstate or overseas veterinarian so that they can provide veterinary services within their area of expertise;
- Clearer pathways for transition back to practice.

Recommendations

Livestock SA seeks assurances of a transparent and robust process for assessing the competence of overseas-trained veterinarians seeking limited registration.

Livestock SA urges the Board to refer to the experience of other registered health professions which have developed excellent processes with supporting resources to support practitioners in the maintenance of their skills during parental leave and subsequent transition back to the workplace.

Division 5 – Suspension or variation of registration in urgent circumstances

51 - Suspension of registration or imposition of conditions in urgent circumstances

Livestock SA supports the proposed changes, with the caution that initial investigative processes are thorough but also expedient to ensure limited damage to the veterinarian and the client. The process needs to ensure that the veterinarian is protected from the threat to their reputation and mental health in the event of spurious complaints, and animal health and welfare outcomes need to be upheld.

Part 5 – Registration of Premises

Sections 53 to 63

Livestock SA supports the proposed changes, understanding that Section 71 (supported by the Regulations) will allow veterinary services to be provided on-farm, via telemedicine and in emergencies.

Part 6 – Offences relating to veterinary practice

64 - Prohibition on provision of veterinary services for fee or reward by persons who are not veterinarians

The proposed wording includes a ‘*prohibition on providing veterinary services for fee or reward by unqualified persons.*’ Appreciating that it will continue to be illegal under the proposed Bill to ‘*hold out as a veterinarian or specialist*’, Livestock SA seeks reassurance that the proposed Bill will prohibit a person from providing a ‘veterinary service’ where there is no expectation of fee or reward, even if they don’t pretend to be a veterinarian.

68 - Use of certain titles or descriptions prohibited

Livestock SA supports the proposed changes.

Recommendation

Extend the prohibition to include the use of “Dr” where it is the intent of the person providing the service to mislead the public. For example, they may hold a doctorate but not be a registered veterinarian.

71 - Veterinary services must be provided at registered premises

Livestock SA supports the proposed changes on the understanding that veterinary services will still be permitted to be provided under ‘certain specified circumstances’ (which will be defined in the Regulations) such as in emergencies, on farm, from out of an appropriately equipped vehicle used by roaming veterinarians, etc.

72 – Undue influence

Livestock SA notes the draft Bill makes it an offence for a person to unduly influence, or attempt to unduly influence, a veterinarian in relation to provision of veterinary services. This offence applies to any person, as opposed to the offence provision in the VP Act (Section 51) relating to improper directions by veterinary services providers, which has been removed.

We are concerned that this change to the offence provision may have (presumably) unintended consequences on the business relationship that exists between a producer and their veterinarian.

Recommendations

Review the wording, meaning and definitions relating to clause ‘51–Improper directions etc to veterinary surgeon by veterinary services provider’ in the *Veterinary Practice Act 2003* and advise if the proposed clause ‘72–Undue influence’ in the *Veterinary Services Bill 2022* are consistent.

Provide examples/case studies that clearly demonstrate the impact (if any) the proposed changes will have on the producer-veterinarian business relationship and whether the changes will trigger other legislation.

Livestock SA will make further comment on this clause following additional advice.

Part 7 – Complaints, investigations, and proceedings

Division 2 – Complaints

Sections 74 to 79

Livestock SA supports the introduction of policies and processes which support a clearer, quicker and more transparent complaints process. Evidence from the health sector demonstrates that long and complex investigations into professional conduct frequently result in mental health trauma for

the professional under investigation. Any complaint process needs to swiftly recognise and dismiss vexatious complaints and focus on addressing real issues in a timely and appropriate way.

Recommendation

Section 78 – Notification of dismissal

(1) The veterinarian against whom the complaint has been made should also be informed that the case has been dismissed. Livestock SA understands that the Act will require the Veterinary Services Board to notify the complainant, but they are not required to notify the veterinarian. Both parties should be notified in writing as soon as possible that the case has been dismissed.

Division 5 – Disciplinary Action

Livestock SA supports the proposed changes, with the condition that (like the Board) SACAT's panel members includes a veterinarian with rural and large animal practice experience, or that one is seconded onto the Tribunal should the need arise.

Part 9 – Miscellaneous

95 – Exemptions

Livestock SA welcomes the inclusion of this provision which will expand the ability for appropriately trained individuals or classes of individuals (including Veterinary Nurses and Technicians) to provide named veterinary services under an exemption to existing prohibitions, including (potentially) Laparoscopic AI and other services currently limited by workforce shortages.

Recommendations

Livestock SA again highlights the urgent need to allow appropriately trained non-veterinarians to also be permitted to perform Laparoscopic AI via an exclusion in the Regulations. The SA Beef and Sheep Industry Blueprints both identify the need to enhance our sector's ability to respond more quickly to market specifications, disease resistance, climate change and carbon-neutrality via improved genetic gain achieved through using genetic technologies. Laparoscopic AI allows cattle and sheep studs to introduce proven genetic traits more quickly into their sires.

Livestock SA anticipates that the acute shortage of large animal veterinarians in regional South Australia will require the excluded invasive procedures listed in the current Regulations (under the Act) to be expanded, as evidence is presented to demonstrate that the benefits of allowing skilled non-veterinarians to carry out the procedures in a timely manner, far outweigh the risk to welfare of waiting for a vet that may never be available.

Please contact the Livestock SA office on (08) 8297 2299 or via admin@livestocksa.org.au if you would like to discuss this submission further.

Yours sincerely

Travis Tobin
Chief Executive Officer