

Inquiry into the Criminal Code Amendment (Agricultural Protection) Bill 2019

Submission into the Inquiry into the impact of animal rights activism on Victorian agriculture

- a. the type and prevalence of unauthorised activity on Victorian farms and related industries, and the application of existing legislation;

To date, I have not heard of one incident where a whistleblower has approached any farmhouse. Rescuers have simply stood in solidarity with the animals, witnessing their trauma and conveying their suffering to the world through social media.

Supporters of the animal agricultural industry have created falsities about the rescuers. I believe this is because they do not want their farming practices exposed for all to see.

History has many examples of heroes who broke the law in order to expose unjust activities: Emmeline Pankhurst, Mohandas Gandhi, Martin Luther King, Rosa Parks and Nelson Mandela come to mind.

The fact is that farmed animals have absolutely no protection: this injustice needs to change. Currently farmers can grind day old chicks alive, keep mother pigs in sow stalls where they are unable to move at all, chop the tail of piglets off and remove their teeth without any pain relief, keep hens in battery cages where they too are unable to move and mules lambs without pain relief. These are the atrocities rescuers are exposing since farmers have for decades, committed this animal abuse in secret.

One day these cruel practices will become illegal.

Where will you stand in the making of a kinder world?

- b. the workplace health and safety and biosecurity risks, and potential impacts of animal activist activity on Victorian farms, to Victoria's economy and international reputation;

To date I have not heard of rescuers being the cause of any biosecurity breaches. They are mindful of the risks and adhere to the necessary precautions to ensure the animals and themselves are kept safe. Conversely, any form of intense farming will create the perfect environment for bacteria to breed and illness to spread quickly through a factory farm. As a result, farmers are feeding their animals vast quantities of antibiotics, both orally and in their

food. This has led to antibiotic resistant bacteria which will have detrimental effects on animals and humans alike.¹

- c. animal activists' compliance with the Livestock Disease Control Act 1994, Livestock Management Act 2010, and the Prevention of Cruelty to Animals Act 1986;

As I have already pointed out, whistleblowers adhere to biosecurity laws since they too wish to keep the animals safe from harm. Their focus is to bring to light the cruel practices some farmers and abattoirs are performing since there is no regulating body preventing these cruel practices from happening.

Rescuers would like to see the Prevention of Cruelty to Animals Act 1986 amended to include all animals, including farmed animals, in its protective legislation. The request is that animals are, at the very least, well cared for on all farms and that slaughter practices are completely overhauled to ensure animals are made unconscious quickly, prior to being killed.

Grinding day old chicks alive, keeping mother pigs in sow stalls where they are unable to move at all, chopping the tail of piglets off and removing their teeth without any pain relief, keeping hens in battery cages where they too are unable to move and mulesing lambs without pain relief are some examples of extremely cruel practices that should not be happening at all in this day and age. It is these very practices that farmers are trying to defend by deflecting their anger onto the rescuers and spreading falsehoods about their activities.

- d. the civil or criminal liability of individuals and organisations who promote or organise participation in unauthorised animal activism activities;

As someone who grew up in apartheid South Africa, this attempt to silence “animal activism activities” is extremely worrying. My mother would stand silently and alone on the streets of Johannesburg, with a placard alerting the public to the fact that detention without trial for 90 days was happening then and there. What my mother did and what animal rescuers do today is no different. They are peacefully alerting the public to look hard at how their meat is produced.

While my mother avoided being arrested, that was pure luck. We lived in constant fear that she would disappear and our telephone was tapped. If you knew my mother you would know that she is a kind, peaceful, harmless woman who simply cares a great deal for her fellow humans and animals.

¹ <https://www.abc.net.au/science/slab/antibiotics/agriculture.htm>

The rescuers that I have met are also kind and peaceful and have great sorrow for the way our farmed animals are treated.

By criminalizing these peaceful activities the right to freedom of speech will essentially be negated. When a basic freedom is at risk, I fear the government of Australia will be heading down a dark path – one very similar to the apartheid government I thought we had left behind for good.

e. analyse the incidences and responses of other jurisdictions in Australia and internationally

In 2016, Riverside Meats Abattoir, Echuca Victoria were found to be abusing bobby calves. Film footage was obtained and a formal complaint laid with the Department of Primary Industries for animal cruelty and the illegal use of electric prods on calves. Yet no charges have been laid and abattoir owners and workers were simply given formal warnings.²

On the 16 May this year, a Warrnambool farmer, Nicole Rowe, performed caesarians on 2 ewes without using any form of anaesthetic. Ms Rowe is not a vet and one of the ewes died as a result of his horrific act. The suffering of those ewes cannot be imagined. Yet she was fined a paltry \$5,000 and had to pay \$381.14 in costs while each of these offences could have incurred a fine of over \$37,000 or 12 months in jail.³

In the UK, the RSPCA prosecuted a farmer for punching and kicking livestock. His sentence involved disqualifying him from keeping any animal farmed for commercial purposes for 2 years; 12 weeks in prison, suspended for 1 year; 30 days of rehabilitation; 150 hours of unpaid work and £300 in costs.⁴

All of these instances show extraordinarily light sentences for extreme behavior. Not one of the magistrates took into account the ramifications of these extremely violent actions. The link between animal abuse and the perpetration of this violence on other humans, such as domestic violence, is well documented. The fact of the matter is that people who are so cruel to animals are dangerous to society at large and their sentences should reflect this.

f. provide recommendations on how the Victorian Government and industry could improve protections for farmers' privacy, businesses, and the integrity of our biosecurity system and animal welfare outcomes, whether through law reform or other measures

² <https://www.aussieabattoirs.com/slaughterhouses/riverside-meats>

³ <https://www.standard.net.au/story/6127380/farm-manager-publishes-cruel-c-section-on-sheep-on-social-media/>

⁴ https://www.rspca.org.uk/whatwedo/endcruelty/prosecution/cruelystories/details/-/articleName/par_2017_cattle_abuse

I will focus on animal welfare outcomes which I believe are woefully inadequate. The Department of Agriculture and Water Resources commissioned a report titled *Australia's Shifting Mindset on Animal Welfare* which states that 95% of those interviewed were concerned about farm animal welfare and 91% wanted kinder farming methods. With this in mind the following should be implemented as soon as possible:

- CCTV in all slaughterhouses and factory farms
- The Prevention of Cruelty to Animals Act 1986 amended to include all animals (especially farm animals)
- An independent Animal Protection Agency to be created to monitor farms and slaughterhouses and prosecute where necessary
- A rapid phase out of all farm animal mutilations, including tail docking, castrations, branding, ear marking, teeth clipping, de-horning and mulesing
- Adoption of an 8 hour upper limit on any journey and restrictions on the climatic conditions under which animals are transported. For longer journeys, in the interim, each leg of the journey must not exceed 8 hours and the animals must be unloaded, watered and cooled before continuing on their journey
- Recognition that all animals are sentient beings – they feel physical and emotional pain just as humans do