

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

Many social justice movements in history have been successful by drawing the public's attention to issues that they may not ever have considered before. Today's biggest social justice issue is our systematic cruelty to animals that is largely accepted by society, without society even knowing it. Animal rights activists seek to right this by showing the public what the animal agriculture industries do not want them to know, but surely as consumers, they absolutely have the right to know.

I can understand the need for some politicians, such as Melina Bath, Roma Britnell and Bev McArthur, to feel they need to combat the activities of animal rights activists in order to represent their constituents, many of whom are beneficiaries of this current non-transparent system. I would argue that they are in fact hindering their constituents in the long term by lulling them into a false sense of security, that the industries they base their livelihoods on are not sustainable, and to tackle this issue by looking for alternatives sooner, rather than later, is imperative for their future financial security.

As this is not a submission on climate change, I will not spend much time on this, but it is definitely a point that is tied in with what animal rights activists seek to raise awareness to, besides the cruelty to animals.

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

The cost of animal rights activist activity to Victorian farmers I would believe would be minimal, but the cost is something that will need to be considered as the transition away from animal agriculture to plant-based agriculture is a cost that would be best tackled now, whilst the impact of climate change is at a critical time, rather than waiting for the climate to become less hospitable and conducive to plant and animal farming alike, than it already is.

The excessive use of water in the dairy industry, for example, is something that is not sustainable at a time where extreme weather conditions are becoming more prevalent. It is known through studies, such as Meyer, W., 1998, ('Water for food: the continuing debate', Cooperative Research Centre for Irrigation Futures, http://www.clw.csiro.au/issues/water/water_for_food.html) the growth of crops is far more sustainable overall; so although there is a small negative financial impact of animal rights activism on animal farmers, this is a cost that would be best negated, and far more beneficial for the farmers, to transition to plant-based agriculture.

What must also be kept in mind, is the actual number of agricultural farms that have actually had animal rights activists on-site versus the media and political hype suggesting that EVERY farm has an invasion by animal rights activists on regular occasions. This is not the case, and those with access to police records would be able to confirm this.

The majority of animal rights activists are compassionate people for all living beings, humans, and yes farmers included. To see a sustainable future for our animal use farmers is a better future for us all, humans and animals, and this is what animal rights activists seek to do.

The civil or criminal liability of individuals and organisations who promote or organise participation in unauthorised animal activism activities.

When addressing the civil and criminal liability of organisations who promote or organise participation in un-authorised animal activist activity, we need to remember the outrage at the lawful acts of the Australian Federal Police as they raided and searched the ABC and journalist Annika Smethurst recently. Yes, these raids were lawful, but were they morally and socially ethical? These are organisations who are there to inform the public on issues that they need informing on. No, often not pretty and not what some organisations would like revealed to the public, but in a free and democratic society, surely things that we all have every right to know.

Therefore, organisations who are involved in the coordination of animal rights activists should not be able to be punished any more than trespass and hindering laws already allow, as the right of the public to know is above that of living in a secret society where we are fed propaganda of 'happy farms' and cows 'giving' their milk. I was an ignorant consumer, who feels incredibly naïve that it took me until the age of 42 to know that certain breeds of cow didn't just suddenly start producing milk, but that they are forcibly impregnated, and have their babies taken away so that humans can drink their milk. I had a right to know that the propaganda I was fed by these industries was not true. I am angry that I was fed this lie my whole life, and that I was a contributor to such cruelty for so long. Where is my right for retribution and compensation from the industry who so successfully kept this truth hidden from me as they so successfully fed me their lies of 'happy cows'?

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.

When addressing the privacy, business and bio-security of animal farmers, an organisation such as the Aussie Farms map of these businesses do not publish or highlight any information that is not already available through a quick Google search. This map and the information that it holds has been completely blown out of all proportion. If I wanted to know the site of an egg farm, for example, I can find this information easily, as you also can (eg. I entered the words 'egg farm near me' into Google and this is what came up:

https://www.google.com/search?rlz=1C1CHWA_enAU593AU595&sxsrf=qwu&ei=wOMKXfqNMMuA9QO3xZTwCA&q=egg+farm+near+me&oq=egg+far%2C&gs_l=psy-ab.1.2.0j0i22i30i9.2984894.2987499..2990521...0.0..0.578.2755.2-4j2j0j2.....0....1..qws-wiz.....0i131j0i131i67j0i67. Xtsd56hFo0).

It is within the interest of any business, animal farmers included, to make this information easily available to successfully supply their customers. So, the argument of Aussie Farms map being negative to these businesses and making them a target is ludicrous and a beat-up for political gain, to appear to be actually doing something. Aussie Farms are an organisation that I contribute to regularly, as they do brilliant work to further the cause of animals, who need a voice. To take away their charity status would be an act of censorship for the gain of a few, whom, as already pointed out above, need to be transparent and honest in their activities and the detriment this has on the animals they use.

Compliance with disease control and the Prevention of Cruelty to Animals Act (POCTA).

If a professional organisation like Aussie Farms were to be punished in some way, this would only promote the rise of un-organised and un-professional groups that give the animal rights organisations a bad name. Having been involved with Aussie Farms, I know that they are professional in their organisation and execution of any actions they are involved in. Yes, there is room for improvement. More information on guidelines of actions that animal rights organisations need to consider before gathering footage from animal agriculture industries is a more effective way for both sides to ensure bio-security, and also the best handling of animals. These are concerns that animal rights activists also have, given the incidents of more 'rogue' and un-educated animal rights activists.

Another point to also consider, is the fact that what exactly do these animal producing facilities have for bio-security control themselves? The video 1000 eyes (<https://www.facebook.com/sharer/sharer.php?u=https%3A%2F%2Fwww.facebook.com%2Fanimalactivistsaustralia%2Fvideos%2F2059021774383653%2F&display=popup&ref=plugin&src=video>) shows the attire of the workers at these establishments, not to mention animal body parts were strewn about and buckets of dead animals in various locations around the pig farming establishment. One video was taken by an animal rights activists at a pig farm in Qld also shows a cat roaming across a feeding sow in a sow stall with the cat also feeding on the body parts of pigs on the floor of the pig farm, further making claims of animal rights activists being a bio-security risk an absolute farce. How is this any more of a bio-security control over what the activists seen pictured below, and how most actions are carried out by activists entering a facility where they will be directly interacting with the animals:



Animal rights activists inside a slaughterhouse in Qld, April 8, 2019, vs how the police are dressed. Biosecurity risk null and void surely? The police present more of a bio-security risk in their attire as does the farmer pictured below. Animal Rights Activists are all dressed to avoid any bio-security risks.



Health and Safety, costs to farms economy and reputation.

As far as costs to reputation go, the saying 'if there is nothing to hide, then there is nothing to hide' comes to mind. The cost to animal farmers in both reputation and economical will only be detrimentally impacted if the activists are able to reveal the systematic cruelty occurring on those particular premises. It is once again in an animal farmer's best interests to transition away from animal farming to plant farming to get on the front foot and establish themselves in a sustainable plant farm.

I do realise that this is not something that can happen overnight, but is definitely something that climate change scientists and organisations are telling us needs to happen in order to sustain our species on this planet, so it is a transition that needs to begin yesterday, let alone today!

Types and prevalence of un-authorized activity and application of existing legislation.

'The higher courts of Victoria heard 54 cases of Entering a Place without authority or lawful excuse from 1 July 2011 to 30 June 2016. The majority had resulted in imprisonment (57.4%) which were all sentenced to a prison term of 0 < 1 year.

Sentencing in the Magistrates' Courts

The Magistrates' Courts of Victoria heard a total of 2,269 cases (2,626 charges) of Entering a Place Without Authority or Lawful Excuse from 1 July 2013 to 30 June 2016. These cases resulted in a variety of sentencing options with the majority receiving imprisonment as a penalty (28.0%). Other sentences were: Community Correction Order (23.7%), fine (22.2%), adjourned undertaking/discharge/dismissal (19.4%), wholly suspended sentence (4.1%), partially suspended sentence (1.4%), Youth Justice Centre Order (0.6%), and other sentencing options (0.6%).

The longest prison term imposed was 36+ months but this was given to only 0.6% of those who received imprisonment as a sentence. The majority was given less than 3 months (35.0%) of gaol term.

Of those who received a financial penalty, 2.3% (aggregate) received the highest amount imposed which was in the \$5,000 < \$10,000 category. The majority, however, was sentenced to a fine in the \$500 < \$1,000 category (31.2% for aggregate and 9.1% for non-aggregate).

Please note that suspended sentences were abolished in Victoria for all offences committed on or after 1 September 2014.'

<https://www.criminal-lawyers.com.au/offences/unlawfully-on-premises> accessed 7 July 2019.

*note, these are trespass figures of all incidents of trespass, not only animal rights activists related.

There is not a sudden rush of trespass as the above data clearly shows. There is already the availability of judges and magistrates to inflict adequate penalties that are fitting of each case they are presented with at any time. I urge you to not fall victim to sensationalist beat ups by media, or by those who seek to gain politically from exaggerating.

Analysis of incidences and responses of other jurisdictions in Australia and internationally.

My husband, myself and our 20-year-old youngest child were in London when the organisation Extinction Rebellion had shut down four major intersections of London. The response of the government of the United Kingdom was not to declare the protestors “Un-English”, ‘Green collar terrorists’ or any other such ridiculous insults as our own politicians felt the need to after the actions of 8 April 2019 along with the eastern states of Australia.

According to a report on BBC.com (<https://www.bbc.com/news/uk-england-48051776> accessed 7 July 2019), 1130 activists were arrested with 69 being charged.

At a time of climate emergency, the reaction of a government accused, like most governments worldwide, of not taking appropriate action to protect the people of our planet, this underwhelming reaction of the British government when compared to the Australian government's reaction to the April 8 action here seems appropriate.

A decision in the United States state of Iowa, in 2012 to introduce the crime of “agricultural production facility fraud,” Iowa Code § 717A.3A, in 2012, on the heels of several industrial farm investigations that brought attention to Iowa’s agricultural industry (courthouse news as referenced below). This law was repealed in January 2019 as it was successfully argued that it impermissibly restricts free speech under the First Amendment (<https://www.courthousenews.com/wp-content/uploads/2019/01/IowaAgGagRuling.pdf> accessed 7 July 2019).

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.

I propose that there is no need for change relating to protection for farmer’s privacy, businesses or bio-security, for all the reasons outlined above. There is no real threat to any of these, and it is all a media and political beat up and over-reaction to an effective animal rights activist event that took place on April 8 2019, after the animal rights movement has been ignored for so long. This over-reaction needs putting into perspective, as there are no actual situations in Victoria of vandalism by animal rights activists, invasion of farmer’s homes or anything of the like as sensationally claimed, un-substantiated, by many.

I do however have a recommendation of the government to lead the way in the support of animal farmer’s to transition to farming plants for the ever-growing plant-based protein companies, that at present, Australia imports a lot of. What a wonderful opportunity for Victoria to lead the charge that climate change science says we, as a species, need to make to ensure our survival on this planet.

For the dairy farmers struggling financially and mentally as they struggle to cope with the debts incurred retrospectively through no fault of their own, for the sheep and cattle farmers struggling with the drought, to be able to move to a more sustainable industry as plant farming has been scientifically proven to be. To support all of our farmers to have a sustainable future is beneficial to us all, and something that we can all get together to support as a species that can look forward to a future that is kind to all kinds, regardless of their species.

Conclusion

I urge you not to be swayed by the over-reaction of some minor members of the Victorian Parliament and the over-reaction of the Morrison federal government to the April 8 action of animal rights activists and to leave penalties as they currently stand for all protestors. I have seen several accusations of vandalism and violence by animal rights activists and would like to see these claims substantiated, as I believe that they cannot be.

To justify the change for some social change crusaders over others is un-just in a free and democratic society. Unions should not be silenced or censured as they fight for the rights of workers to be safe and paid fairly, just as women should not be silenced or censured as they fight for their right to be as safe on the streets and in their homes the male members of our society. Members of the LGBTIQ+ society should not be silenced or discriminated against because of who they are. I could go on naming our First Nation's people and other marginalised people of our society.

I urge you to treat those who speak for our animals the same as all the other social justice movements in our society. If the animal farmers have nothing they want to be hidden from their consumers, then they should not feel threatened. Let the animal rights activists plant hidden cameras and make documentaries, as there surely is nothing they do that they do not want the public to see, and if there is, then the consumers, the public, your constituents, have every right to know, so they can make their choices accordingly.

I urge you all, for education on this issue's sake, to watch the documentary Dominion. You cannot make any informed decisions on this important issue if you have not at least watched what you claim to be against <https://vimeo.com/ondemand/dominionfilm> .

I am more than happy and actually encourage, any members of your panel to contact me to discuss any of the issues you may have regarding this inquiry to arrange a face to face discussion. I will always do all I can to fight for the freedom of every living being from pain, suffering and exploitation.

“If possessing a higher degree of intelligence does not entitle one human to use another for his or her own ends, how can it entitle humans to exploit non-humans for the same purpose?” Peter Singer - [*Animal Liberation*](#) (1975).