



The Secretary
Legislative Council, Economy and Infrastructure Committee
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

aglawsinquiry@parliament.vic.gov.au

SUBMISSION TO: Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture

Dear Sir/Madam

Egg Farmers of Australia represents the substantial majority of professional egg farmers in Australia. Our professional egg farmers:

- farm laying hens in all production systems;
- care about the welfare of their birds, the welfare of their families and their staff and the land on which they farm;
- supply quality eggs to the Australian consumer, to restaurants and cafes and to the manufacturers of desserts, main meals and other processed food; and
- are the experts on the Australian egg industry and the birds they farm.

The majority of professional egg farmers in Victoria are represented by Egg Farmers of Victoria through its member, Victorian Farmers Federation Egg Group.

For further information on Egg Farmers of Australia's views, please contact:



The Executive Officer is Ms Melinda Hashimoto on 

Yours sincerely

Bede Burke



Chairman

Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture by Victorian Parliament 2019.

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Egg Farmers of Australia (EFA) appreciates the opportunity to make a submission to the Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture.

The Terms of Reference are comprehensive and appreciated by the professional Victorian egg industry.

Our farmers have had farm invasions in Victoria since 1994. At that time Animal Liberation Victoria (later the invasions were headlined as ‘Open Rescue’) invaded Happy Hens many times. The penalties for these invasions were a joke and often were not paid – especially if the invaders were on social security. These invasions continued over a long time frame¹.

It is clear to Victorian egg farmers that most invasions by the various animal rights organisations are about getting media attention to themselves. In fact, they often call the police and the media. If the media do not turn up, the invaders walk out and/or take their own media pictures or videos and email them to the media they think are most sympathetic to them.

An improvement of legal sanctions sends an important signal to the whole Victorian community that Government takes the purposeful invasion of farms as a criminal act rather than the perception that Government is intimidated by people who do not feel obliged to comply with Victorian law.

Changes are needed such as:

- A. Changes be made to the Prevention of Cruelty to Animals Act (1986) to set the acceptable level of penalty and to ensure that the stealing of production animals is a cruelty offence
- B. Changes be made to the Crimes Act (1958) to set the invasion of farms and associated businesses as a Criminal offence rather than a Civil offence
- C. The Victorian Government ensure that the charitable status for organisations which impinge upon the privacy of individuals or businesses be revoked, where appropriate under Victorian Law
- D. The Victorian Government lobby other States and Territories and support at COAG and Ministerial Council, that the Commonwealth revoke the charitable status for organisations which impinge upon the privacy of farm individuals or businesses as well as for associated industries such as abattoirs, transporters etc.

These changes do not include our concerns around potential injury to farmers’ families and staff. Some of this is as a result of being in a workplace but some is due to the arrogance and aggression of the invaders. They taunt people. They publish information about individuals and the farm which are often not true. They purposefully do supposed ‘biosecurity precautions’, ie a white paper overall, while treating biosecurity as a joke.

They also treat the animals badly such as remove them from cages by themselves. Laying hens are a flock animal; they are part of a pecking order. When birds are removed from their

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flock and taken out of the shed, they become stressed. They are also taken from an air-conditioned shed to (usually because they break in at night) cold air. This also adds to their stress. If they are not handled correctly, they can break legs and wings and night invasion wakes the birds from their sleep. None of this makes a bird happy.

EFA is most appreciative of the legislation being considered by the Commonwealth Parliament on the Criminal Code Amendment (Agricultural Protection) Bill 2019 and the new legislation in both NSW and Queensland. These send clear messages to the community that those parliaments take unlawful invasions seriously.

Internationally, animal rights activists may be classified as terrorists in the USA due to their close links to known terrorists. There are known links from Australian organisations to these USA organisations.

The UK shows why it is important that strong penalties be implemented against animal rights activists. There are organisations in the UK who use terrible levels of intimidation against any organisations they do not like. It is untenable that people should be scared in their homes or need to check for bombs before starting their car.

It was reported in the Weekly Times on 24 July 2019ⁱⁱⁱⁱⁱⁱ that a family is leaving their farm because of the stress they have been under by animal rights activists. This is well known to the professional egg industry. Most have been subject to such intimidation, as have their employees. As one farmer said: “I can’t legally intimidate someone without legal action being taken so I don’t understand why they’re receiving special treatment”.

These activists are not animal welfare experts. They are pushing a political point of view – usually a vegan view – by intimidating farmers and by misinforming and manipulating the public with the complicity of media people who either share their view or who are looking to progress up the media ladder.

They also misinform school students by doing things such as give out false information or scare them (eg showing a bucket of red liquid and refer to it as blood) outside the school gates or via a student or via a teacher who uses their position of trust to press their political view. Whereas farmers act like the normal citizens they are.

Professional Egg farmers are members of local communities. They donate eggs for Lions or Rotary barbeques and for school events. They buy their supplies from local shops, where possible, and buy Australian feed. They sell to local shops as well as supermarkets, so eggs of all types are easily available. They employ locals. They do not force their views on people by intimidating them.

One of the furphy’s being spread by animal right’s activists is that “if there was nothing to be hidden then the activists would not have any reason to be entering properties”. There is nothing being hidden. The activists enter farms for their own political reasons. It is about them not the farms or the farmers.

Another furphy is “This issue could be resolved with the installation of cameras”. This shows how little people saying this understand that farms have people on them. Would the people on this Committee, or Victorians in general, like to have cameras recording everything they do in the rooms they go in when at work? We think that this is unlikely. It would

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certainly not assist with getting Australians to work on farms and would be a substantial increase in cost of the sheds.

There has been controversy around the use of the law to limit unlawful use of devices to record people. In Victoria it is already a contravention of the Victorian listening devices legislation and can result in up to two years' imprisonment or substantial fines. However, this has not been applied to activists breaking into sheds and leaving cameras to record without the permission of the farmer. EFA recommends that this legislation be reviewed to include such break ins and recording^{iv} in the various Acts as appropriate^v. We recommend that:

Changes be made to the Listening Devices Act, and others as appropriate, regarding the invading of farms and associated businesses with the intent to record without the permission of the farmer or business.

Professional Egg farmers contribute to the Victorian economy by producing 28% of the nation's eggs and exporting them around the country and overseas. Export markets are increasing due to our safe food and strong biosecurity.

The invasion of farms by animal rights activists, and the media attention they get, does not help our international reputation. This is especially so in Asian markets. Our Asian neighbours expect that Government will address illegal activities such as people invading farms to cause food safety and biosecurity problems. It is difficult to explain that the Victorian Parliament does not seriously regard such activities as illegal and that some of our parliamentarians are sympathetic to such activities^{vi}.

We recommend that:

The Victorian Parliament makes it clear in plain English that it does not support the intimidation of farmers and their employees and families, or the stress of the birds or the imperilling of the safety of the eggs and biosecurity

This would strongly assist the export industry as well as give farmers confidence.

In conclusion, EFA recommends that:

- A. Changes be made to the Prevention of Cruelty to Animals Act (1986) to set the acceptable level of penalty and to ensure that the stealing of production animals is a cruelty offence
- B. Changes be made to the Crimes Act (1958) to set the invasion of a farm and associated businesses as a Criminal offence rather than a Civil offence
- C. Ensure that the charitable status for organisations which impinge upon the privacy of individuals or businesses be revoked, where appropriate under Victorian Law
- D. The Victorian Government lobby other States and Territories and support at COAG and Ministerial Council, that the Commonwealth revoke the charitable status for organisations which impinge upon the privacy of farm individuals or businesses as well as for associated industries such as abattoirs, transporters etc.
- E. Changes be made to the Listening Devices Act, and others as appropriate, regarding the invading of farms and associated businesses with the intent to record without the permission of the farmer or business

- F. The Victorian Parliament makes it clear in plain English that it does not support the intimidation of farmers and their employees and families, or the stress of the birds or the imperilling of the safety of the eggs and biosecurity

ⁱ <http://www.openrescue.org/archives.html>

ⁱⁱ [20190724 The Weekly Times farm invasion.pdf](#)

^{iv} [http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/edfb620cf7503d1aca256da4001b08af/164CDBB997CF174BCA2571EE001E1DF0/\\$FILE/06-070a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/edfb620cf7503d1aca256da4001b08af/164CDBB997CF174BCA2571EE001E1DF0/$FILE/06-070a.pdf)

^v [http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/LTObject_Store/LTObjSt5.nsf/DDE300B846EED9C7CA257616000A3571/D5D9C8D3F4D67A2CCA257761003D3453/\\$FILE/97-2sr002.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/LTObject_Store/LTObjSt5.nsf/DDE300B846EED9C7CA257616000A3571/D5D9C8D3F4D67A2CCA257761003D3453/$FILE/97-2sr002.pdf)

^{vi} <https://www.weeklytimesnow.com.au/news/national/greens-senator-janet-rice-says-farm-trespass-is-sometimes-necessary/news-story/ee7f2c8d90e2e0502b192668bbedabba>