

To whom it may concern,

It is deeply saddening that the impact of animal rights activism on Victorian agriculture be questioned in the face of proven, systematic cruelty towards Australian animals. To oppose this inquiry is to provide a voice for the animals and advocate for their welfare and rights where our laws do not.

The terms of reference for this inquiry focus on the legislations that protect the privacy of farmers and animal industries. This is problematic, as it is this very privacy that drives the need for whistle-blower activity; all animal industries, whether for food, entertainment, breeding or otherwise, ultimately regard animals as products rather than conscious, sentient beings. Their rights are not recognised by law and their absolute minimal welfare often comes second to financial gain. When each animal is only ever considered in light of its dollar contribution, judged according to 'production' benchmarks set by farmers, their health, happiness, comfort and well-being (i.e. their welfare) cannot ever be given proper consideration. Moreover, the welfare of individual animals is overlooked in farm settings, where the 'herd' as a whole takes precedence. Any move to screen these operations further from the public eye merely strengthens the idea that there is something to hide and a henceforth a need for whistle-blower involvement.

The following points are written in accordance with the terms of reference:

- a. The sole purpose of whistle-blower activity on Victorian farms is to expose animal cruelty and bring to light the ethics of farm practices carried out daily on farm animals. For this reason it only ever involves documentation of actual production facilities and/or the animals involved; there is absolutely no interest or gain in entering the homes of farmers, and to date there is no evidence of this having ever happened. In fact, most farmers are unaware of any such activity until documented evidence of animal cruelty obtained from their property is released.

The 2019 report *Australia's Shifting Mindset on Animal Welfare* revealed that an overwhelming majority of Australians view farm animal welfare with concern and are interested in reforms being made to address it. The general public's awareness of the inherent cruelty and welfare issues occurring on Victorian farms and animal industries can be credited only to the efforts of brave whistle-blowers, whose interests remain altruistic throughout. It is thanks to them that so many proven perpetrators of animal cruelty have been rightly exposed and held accountable for their actions, and that animals in need of urgent veterinary care be identified and rescued. It is immensely disheartening that current legislations not only fail to do this but further criminalise such benevolent, selfless behaviour. And whilst it is an established offence to trespass, "production" animals remain unprotected by the Prevention of Cruelty to Animals Act 1986 (POCTAA).

- b. The concern for biosecurity risks is legitimate, yet no one is more committed to protecting animals from disease than those advocating for their health and welfare. Most whistle-blowers are knowledgeable enough to utilise personal protective equipment (PPE) and adhere to the infection control measures implemented at such facilities (such as foot baths). Their activities are also so infrequent that they will unlikely have recently visited another farming

property. To date, there is no evidence that any whistle-blower activity has ever resulted in a significant biosecurity event.

It is worth noting that the high risk and potential spread of disease between animals is largely due to the poor conditions in which animals are kept; the intensive farming and animal industries routinely confine high numbers of animals (often thousands) to small spaces, often with poor ventilation and sporadic cleaning. In the event of disease detection, farm animals are often 'culled' rather than treated so as to prevent the spread of the disease, and this may occur to thousands of animals at a time whether proven to be infected or not. This is supportive of farmers' concern over biosecurity being driven by financial losses rather than animal welfare. This disingenuous concern is also highlighted by the fact that farmers are keen to invite police onto their properties without PPE or adherence to biosecurity protocols.

- c. It is unclear exactly how whistle-blowers are relevant to the Livestock Disease Control Act 1994 (LDCA) or the Livestock Management Act (LMA) 2010. What is clear, however, is the failure of POCTAA to protect livestock and "production" animals from established animal cruelty. Excruciatingly painful and invasive procedures, such as castration and mulesing, are routinely performed on conscious animals without pain relief. Many such procedures are carried out by farmers themselves rather than veterinarians, and henceforth surgical sterility is often lacking. If the same such procedures were performed on companion animals under the same conditions this would be actionable on the grounds of animal cruelty.

Moreover, POCTAA identifies the failure to provide care and veterinary treatment to sick and injured animals as an act of cruelty. Yet footage obtained from so many rescue operations consistently reveals such cases, despite adherence to LDCA, LMA and POCTAA. This again highlights the inadequacy of existing legislations in protecting farm animals from abuse and cruelty. In fact, Australian law still classifies farm animals as property and fails to recognise their sentience.

- d. The intent of publication of information obtained from whistle-blowers is not to incite trespass, but to educate the Australian general public about what is otherwise concealed behind closed doors, and draw attention to the inherent animal welfare issues and legislative shortcomings on farms and in animal industries. To criminalise publication could be argued as threatening to one's freedom of speech.
- e. It is clear that this inquiry is driven by a desire to introduce Ag-Gag Laws to Victoria. Such laws seek to silence whistle-blowers and other animal welfare and rights advocates by preventing or criminalising the recording of farming and animal industry operations. Rather than responding to growing public concern for animal welfare and encourage transparency in the industry, such laws ultimately give precedence to financial gain and international trade, whilst obstructing freedom of speech. To this degree similar laws introduced into the USA have been overturned on the grounds that they were unconstitutional. It is reasonable to expect that such laws would be subject to intense legal challenge, not only by animal advocates but by most Australians, who, understandably so, value their freedom of speech. It also avoids dealing with the real issues at stake, being proven animal cruelty, time and time again.
- f. Australians are entitled to make informed decisions about their purchases. Just like one would expect to be able to look up a product's ingredients, or whether or not a product was made

locally or internationally, so should consumers be able to inquire about the 'products' obtained from farming and intensive animal industries. This transparency has been withheld from consumers, and it is largely due to whistle-blower activity that Australians have been made aware of the practices and businesses they are ultimately supporting when buying such 'products'. In fact, farmers have for decades not only withheld this information but romanticized the pretence of how animals are kept, treated and 'processed'. A very simple example would be displaying on a milk bottle a smiling cow eating freely on wide-open green pasture, when in reality, that cow may live on concrete, eating pellets, and living with multiple clinical conditions such as lameness, after having been forcibly impregnated, having her calf stolen at birth and milked at unnatural rates, only to be sent for slaughter when her milk production fails to be profitable enough. Somehow, the very idea of the 'Aussie farmer' has been romanticised despite relying on the systematic exploitation and slaughter of animals for profit (something that if done to humans would be considered egregious and inconceivable). Although many of these practices have been normalised by society as result of this false pretence, many Australians would likely not be able to stand idle and watch them take place if only given the opportunity, yet alone support them.

The current legislations in place for Australian animals, specifically those living on farms or in intensive industries, do not sufficiently protect them from abuse and cruelty; much work is needed in this field, starting with recognising their sentience and consciousness and the rights that should come with that. At a minimal level, CCTV cameras should be in place in all farming and industrial animal facilities, so that relevant authorities can monitor and investigate cases of cruelty and to further deter employees from committing cruelty in the first place. Furthermore, cases of proven cruelty need to be punishable, and certainly in Australia the penalties for such acts are derisory.

It is evident that the rights and welfare of Australian farm animals are not adequately represented by current legislations. It is thanks to the tireless and noble efforts of animal welfare advocates and whistle-blowers that their true realities are exposed, and stifling or prosecuting them would simply be shameful.

Please rethink the validity of this inquiry and make necessary changes to improve the lives of Australian animals, rather than the contrary. Please use this as an opportunity to hear their voices when they cannot speak for themselves.

*"The greatness of a nation can be judged by the way its animals are treated" - Ghandi*