



2 August 2019

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

To Whom It May Concern,

SUBJECT: ACMF Submission to the Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture

The ACMF welcomes the opportunity to lodge a submission in response to this inquiry.

The Australian Chicken Meat Federation Inc. (ACMF) is the peak coordinating body for participants in the chicken meat industry in Australia, representing all elements of the industry, including chicken growers and processors, at the national level.

The Victorian Chicken Meat Council (VCMC) is the industry association that represents the interests of the broader chicken meat industry in Victoria. Its members include the farmers that grow meat chickens as well as the companies that process the chickens and make chicken meat products available to both the local and broader Australian consumer.

The VCMC is a member of the Australian Chicken Meat Federation Inc (ACMF).

The ACMF fully endorses and supports the submission made to this inquiry by its member, the Victorian Chicken Meat Council (VCMC).

The ACMF would also like to reinforce a number of the points made in the VCMC's submission.

Chicken farms (both in Victoria and nationally) have been subject to break-ins and trespass by activists for the purpose of gaining access to conduct protest action or for the purpose of unauthorised, covert surveillance.

A number of chicken processing plants have also been subject to unauthorised entry for the same purpose, and protest action at the gates of processing plants is a regular occurrence.

Consequences of trespass

Trespass on chicken farms and processing plants can result in a range of serious consequences, which are summarised here.

Breach of biosecurity

The threat to the integrity of our biosecurity regime is the chicken industry's greatest concern with respect to unauthorised entry by activists, or by any other party for that matter.

The biosecurity risks posed by unauthorised entry on to chicken farms are very high. Damage resulting from the introduction of disease by a trespasser, even an endemic disease, could be irreparable for an individual farmer or the processor they supply to. In the event of an emergency animal disease, introduction and spread of disease by trespassers will have devastating flow-on impacts across the whole industry, including

loss of export markets and, potentially, loss of confidence in our products on the part of our domestic consumers as well as overseas markets.

Chicken meat producers implement strict biosecurity protocols across their facilities aimed at protecting the health and welfare of millions of birds. The activities of animal rights groups who illegally enter a farm with no regard for the biosecurity rules in place on that property pose a serious threat to these protocols and potentially the integrity of the whole biosecurity regime.

Activist groups sometimes claim that they take appropriate biosecurity mitigation measures prior to making an unauthorised entry onto a farm, but we challenge this claim; indeed, we challenge their understanding of what measures are appropriate to take for each type of enterprise they may be putting at risk through their trespass. For example:

- Do they have no birds at home?
- Do they have no contact with birds or other farms for days prior to the trespass? In this context we note the statement in the report of the NSW Select Committee *Inquiry on Landowner Protection from Unauthorised Filming or Surveillance* (25 October) that “*Australian Pork Limited noted that 48 piggeries were allegedly 'raided' across New South Wales, Queensland, Victoria and Western Australia between August 2012 and March 2015, with intrusions in certain areas often occurring on consecutive nights*” – hardly suggestive of required stand-down periods being observed.
- Do they ‘stay away’ from the trespass event or protest action if they have experienced recent gastrointestinal or flu-like disease?
- Do they use the facilities provided on farms for disinfecting footwear and hands prior to breaking into them?

These are amongst the raft of measures required under the chicken industry’s biosecurity protocols aimed at minimising the risk of poultry diseases or food safety pathogens being introduced to farms and spreading between farms.

Food safety compromised

In entering facilities without taking required biosecurity precautions, thereby risking the introduction and spread of zoonotic diseases and food safety pathogens (such as *Salmonella*), trespassers also threaten the safety of our food supply. The chicken industry’s biosecurity protocols are designed to minimise introduction and spread of such pathogens.

Food safety impacts of trespass onto processing plants is a particular concern for managers of chicken processing plants, who need to consider the risk of deliberate or inadvertent contamination of chicken products by persons occupying the site following an illegal entry and take appropriate action to minimise this risk. Actions that need to be considered following a processing plant incursion may extend to disposal of a significant volume of product, depending upon which part of the plant the trespassers occupied and whether they potentially came in contact with processed products.

Injury, death and other detriment to the welfare of the livestock

Clearly, if a biosecurity breach results in the introduction of a serious poultry disease, the welfare of the affected flock(s) is likely to be adversely impacted. Quite apart from this, however, the welfare of chickens themselves can also be *immediately* impacted by the actions of trespassers, particularly in instances where unauthorised entries occur at night and torches or other unfamiliar light sources are used in an attempt to illuminate the barn and the birds themselves.

Property damage

Unauthorised entry onto agricultural properties also brings with it the risk of property damage; for example, damage deliberately done to security measures, fences and other facilities in gaining illegal access to the facilities, or damage to water lines, drinkers, feeders, ventilation or other equipment in chicken barns, often unintentional, during the occupation of housing. Unintentional damage occurring during facility occupation following trespass can arise in a range of ways, including people bumping into equipment, or birds damaging equipment (particularly drinker lines) during a panic response to an unexpected shed entry, particularly if it occurs at night.

Damage such as this can have flow-on consequence for the efficient operation of the business, as well as for animal welfare; for example, where damage to drinker lines results in the bedding in the shed becoming wet and irreparably fouled as a consequence.

Unauthorised entry resulting in the covert installation of surveillance devices on farms can also create a safety and fire risk due to use of the electrical circuitry in the barn.

Theft

It has sometimes been the case that activists who have illegally entered chicken farms and gained access to housing thereon have left with a number of birds. While this is often promoted as 'liberating' the birds, most reasonable people would consider this common theft.

Disruption to lawfully operating businesses

Where trespass onto a processing plant occurs, it will generally require processing lines to be stopped until the trespassers have been removed from the premises. This not only causes significant and costly disruptions to the operation of a lawfully operating business, but also has consequences in terms of bird welfare (because of the delays incurred) and food safety.

Activist activities that do not involve trespass

Trespass does not have to occur for an event to have severe impacts on farmers and those operating or employed at other animal facilities.

As pointed out in the VCMC's submission, the broader chicken industry accepts that some people are opposed to chicken meat production and they have the right to express those views, including by way of protest action, so long as they conduct such action in a safe and legal manner, that is respectful of differing views, does not significantly disrupt the safe and efficient operation of a chicken production business, and do not harass, intimidate or bully farmers or other parties engaged in the lawful operation of a chicken production business.

The ACMF is concerned that current laws do not adequately protect farmers and others involved in the lawful operation of chicken meat production businesses from activities that are not currently covered by trespass, property damage and theft laws. For example, where protest action at processing plants significantly disrupts the delivery of birds to the plant, resulting in delays in processing with consequent impacts on bird welfare, food safety and the efficient operation of the business.

Current laws also fail to address the psychological impacts of such activities as trespass and protest action, particularly where it includes intimidation or harassment, or risks of human injury (as a result of activists putting their own safety at risk as a result of their actions) on farmers, their families and staff involved at all chicken production facilities.

Furthermore, existing Victorian laws fail to address the culpability of persons who promote or incite others to commit trespass or other unlawful acts against farmers or others engaged in agricultural production. The

internet, including Facebook, has been used in the past to publicise, and thereby incite, protest actions at and trespass onto chicken facilities. As an example, we believe that the publication by Aussie Farms of an interactive online map to Australian livestock facilities, thereby broadcasting the names and addresses of Australian farms and other animal facilities, has facilitated and encouraged unlawful entry of activists on to such facilities.

Incitement of others to conduct unlawful acts against farmers and other agricultural facilities also needs to be captured under Victorian laws.

Finally, farmers and other agricultural facilities in Victoria are inadequately protected from unauthorised surveillance and subsequent publication of materials obtained from such, by Victoria's laws. Our particular concern in this respect is that materials obtained from unauthorised surveillance activities are frequently misused in a manner that misrepresents the practices and conditions of individual lawfully operating farms and businesses.

Any evidence or suspicion of breaches of Victoria's animal welfare laws should immediately be brought to the attention of the appropriate authorities; those that oppose livestock production should not be allowed to take the law into their own hands.

Conclusion

The ACMF therefore requests that the inquiry consider recommendations to the Victorian Government that strengthen Victoria's laws with respect to trespass, damage and theft on agricultural properties, and the introduction of other laws aimed at providing greater protections to farmers and other agricultural businesses from the actions of parties seeking to significantly disrupt the lawful operation of such businesses, including new laws providing protections against unauthorised surveillance on agricultural properties (and use of materials obtained from such) and incitement of trespass, damage or theft on such properties.

The Federation supports the recommendations contained in the submission of the Victorian Chicken Meat Council in this respect.

The ACMF is of the view that the penalties attached to offences in respect to these laws must reflect the economic and other consequences of a breach. Given the significant potential economic and other ramifications of trespass onto agricultural properties and the often problematic nature of prosecuting such offences committed by animal activists, the ACMF strongly favours the introduction of on-the-spot fines for breaches of trespass or biosecurity laws on agricultural properties.

Importantly, it is our belief that activists will only be deterred from invading farms or facilities or disrupting the efficient operation of such businesses if governments bring to bear the force of all laws breached by them.

Finally, the ACMF strongly urges the Victorian government to engage with other states and territories and the Commonwealth Government in a national approach to address the issues identified above, as a consistent approach across all jurisdictions, in terms of the laws that apply, the penalties that apply for offenses against them, and the rigour with which they are enforced, will be essential to successfully address the threats posed to our agricultural industries by the more excessive activities of animal activists.

Yours sincerely,


Dr Vivien Kite
Executive Director
Australian Chicken Meat Federation Inc.