



I am opposed to the imposition of massive fines for farm trespass, and also opposed to mandatory fines. Magistrates and judges ought to be able to exercise discretion, depending on each individual case's circumstances. The current regime, providing a maximum fine of around \$9,000 in each instance, is about right.

Of course, I do not support theft of livestock or farm occupations. Protests should be conducted on public land. However, there are instances where so-called "trespass" should be legally protected, as it ought to be against public policy for someone to enter a property for the purposes of, for example, righting a cast sheep, which might otherwise die, if left unattended.

There are many side issues to the farm trespass debate.

Agriculture Department stock inspectors ought to be able to give some form of feedback to members of the public who make animal welfare complaints. I understand that currently this doesn't happen, due to privacy law considerations. If that is the case, the Privacy Act ought to be amended, to permit some form of feedback; if concerned people feel they are not heard, then lack of communication can exacerbate matters. The Department should be able, where appropriate, to require farmers to participate in one day courses in animal welfare (which could be run by TAFE). This could be generally applicable, given farmers have to undergo refresher courses for handling chemicals.

A 24 hour hotline run by the Agriculture Department would allow a would-be "trespasser", who has a genuine animal welfare concern, to ring in for advice, before entering a property. Farmers could register their mobile phone numbers with the Department. If there was no response to a phone call from the Department, a concerned member of the public might then be able to enter a property legally for a limited purpose (such as righting a cast sheep). There are legitimate public liability issues for the farmer, and such uninvited persons should make every effort to enter safely.

Farmers rightly feel undervalued in today's society. Victorian Governments of both sides of parliament oppose drought subsidies for fodder, agistment and transport, on the basis that subsidies are counterproductive, yet support subsidies for first home buyers, solar panels, etc.

There ought to be governmental support (which might require assuming public liability, as a farmer's insurance policy typically may not cover this risk) for farmers who participate in open farm days, where the increasingly urban-based public can learn more about farming generally and animal husbandry in particular. It is also appropriate that government provide some funding for animal refuges, which provide veterinary and other care to orphaned farmed animals and native fauna. It would be helpful if the Agriculture Department could maintain a register of organisations and persons willing to care for donated sick, or orphaned infant, livestock.

Biorisk security is an issue raised against farm trespass, usually in regard to industrial-style farming, where the "farmer" may not own the "livestock", but is paid a fee by large corporate entities to raise, or grow out, the broiler chickens, feedlotted cattle, etc. Every member of the public, regardless of their dietary preferences, has a rightful interest and stake in "factory farming" practices, as witness the previous threats to public health from BSE ("mad cow" disease) in the U.K., due to feeding animal product in feed lots, and the issues arising from the previously prevalent practice in the broiler industry, of giving a "pre-emptive" dose of penicillin to chicks. (I understand that this may also have been the practice regarding new entrants to beef feed lots.)

Without the efforts of "whistleblowers", how would the general public know what is going on, behind the walls of "factory farms"? Hence, there ought to be whistleblower protection legislation, to protect such activities, at least to the extent of reporting them to the Agriculture Department, and perhaps certain other authorities, such as the RSPCA. Given legitimate biorisk and biosafety concerns regarding trespassing upon "factory farming" premises, there ought to be a greater role for random, unannounced inspections of such enterprises by Agriculture Department officers. That said, it is unlikely that public scrutiny and protest will abate, concerning "factory farming" practices, without significant mandatory animal welfare reforms. The work "On Animals" (in two volumes) by Dr David Clough, Professor of Theological Ethics at The University of Chester, supported by his public speaking tours on "The Challenge of Christian Animal Ethics", exemplify that animal welfare concerns (which after all are the trigger for farm trespass activities) are increasingly a matter for debate and

reform - and won't be suppressed by the introduction of oppressive penalties.

Sincerely,  
James Naylor.

