

TRANSCRIPT

LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture

Warrnambool—Tuesday, 17 September 2019

MEMBERS

Mr Nazih Elasmr—Chair

Mr Bernie Finn—Deputy Chair

Mr Rodney Barton

Mr Mark Gepp

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Ms Melina Bath

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Mr David Limbrick

Mr Andy Meddick

Mr Craig Ondarchie

Mr Gordon Rich-Phillips

Ms Mary Wooldridge

Dr Catherine Cumming

WITNESSES

Mr Antony Ford, Executive Officer, and

Ms Georgina Gubbins, Chair, Great South Coast Food and Fibre Council.

The CHAIR: Welcome to the public hearings of the Economy and Infrastructure Committee. All evidence stated at this hearing is protected by parliamentary privilege; therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege. I will now allow us some time to ask you questions. All yours.

Visual presentation.

Mr FORD: Thank you, Committee, for inviting us to address you. We are part of the Food and Fibre Great South Coast group, and we represent industry and farming throughout the region with the prime aim of increasing the value and the capacity of our region to produce food and fibre. So we come to you with the background of understanding the value of agriculture, food manufacturing and fibre production in our region. I just want to take 2 minutes just to explain, from an animal perspective, the value of the industry to our region. Food and fibre produces over 60 per cent of the regional domestic product for the region, and we produce over \$2 billion worth of animal-based farm gate outputs. To put that into perspective, Australia's export is forecast to be \$59 billion this year. We produce \$2 billion of that at a farm gate level here. On top of that \$2 billion there is forestry, cropping and horticulture as well. That takes it up to the number one region in Victoria for output of agriculture and food products.

We have taken the tack of just addressing the terms of reference. So we will kick straight on with the prevalence of unauthorised activity in the Great South Coast region. By the way, Georgina is going to jump in as we go along.

We are a big region in Victoria. There is little evidence of direct action on our farms in the Great South Coast region so far.

Ms GUBBINS: But there have been some people who have been impacted. The biggest impact has been on the social side of things. When farmers are already under pressure, to have that hanging over them—that car that is driving past slowly; what is it about to do?—has really got people's anxiety levels up, I suppose. When, as Lisa said before, the suicide rate is high anyway, adding further anxiety to that does not help.

Mr FORD: That is really covering the second point. Look, when the Aussie Farms maps came out, there was a real swell of concern amongst us, not just amongst our farming businesses but across our service businesses as well, across the whole region. The fear of unannounced intrusions by non-animal people with no idea how to treat animals or even be around stock, except maybe their pets, is a real concern for our operators in the region.

Ms GUBBINS: There has been quite a lot of R and D done into animal behaviour and things like that. Farmers like me feed back to researchers saying that we feel that our animals are reacting in a certain way. They have actually done research into how the animals react. They do not like strangers. They do not like people, perhaps, in hazgear get-up if they have not had hazgear get-up around them. The way people move can stress them—all that sort of thing. So there are a lot more ramifications that people do not actually realise, because they do not know. If you are working with animals all the time, you know pretty well how they are going to react, how they are going to move—things like that. But with people who have not been around them all the time—even me going into someone else's strange mob—those animals will react differently to how their own animals will react. That is an important point.

Mr FORD: I think Georgina has covered the fourth point there. They invariably come under cover of darkness or surreptitiously, a number of people with torches, around mobs of big, large animals. Predominantly, as Lisa says, we farm big animals in the region, whether it is beef cattle or whether it is dairy cattle or indeed sheep, and the spooking of those animals is a real concern to the people from an OH&S point of view but also from that of damage to assets.

Ms GUBBINS: There are also routine things that happen with animals that they are ready and waiting for. I will bring up the instance of when a piggery got broken into once and the pigs started squealing and carrying on like one thing. The animal activists thought that was because they were being treated badly, but the point was they were actually thinking that they were getting fed. So it is not understanding those little things such as disturbing them at a certain routine time, then they are waiting to be fed, even though it might not be for a couple more hours. What is cruel to animals—well, if you are not going to feed them when they are expecting to be fed.

Mr FORD: So part of those terms of reference again is addressing ‘the workplace health and safety and biosecurity risks’ and compliance. Being driven and harassed by activists, as we have said, we think that is a danger to the harassers themselves and obviously to those animals. As Lisa Dwyer said, our farmers take biosecurity seriously for two reasons: from the animal health perspective but also from a quality accreditation perspective. For the Committee’s benefit, quality accreditations are the things you have to do to qualify to supply a supermarket or a milk factory or an export abattoir or indeed for the export of live cattle. Activists compromise not just animal health but also these quality accreditations that demand controlled access to the land and animals. Part of the basic tenets of most quality systems is that farms or indeed businesses have to control access to their land and their stock. Activism brings into jeopardy those quality accreditations. Lisa talked about spreading diseases and jeopardising these quality accreditations of farms. There is absolutely no regard for any of these compliance issues from these activists invading farms, and for the activists themselves there is a risk of undermining all of those things that those farms have been working on or those businesses have been working on for a number of years. For example, to take an accreditation from the start of the process to getting fully accredited under internationally recognised quality accreditation systems takes a number of years and an investment of a lot of money. So we think that quality accreditations on farms are in jeopardy because of unauthorised entry.

Ms GUBBINS: Part of that QA is actually tracking people who come onto your farm and recording it as well. If you do not know who is coming onto your farm, that poses a bit of a problem as well. And then there is being able to categorically state that you do that to people in an international market as well. As Lisa said, it does jeopardise it from that point of view.

Mr FORD: The food and fibre farming community and in fact all farming communities agree that cruelty to animals has no place on our farms or in any of our processing supply chains. We have relevant authorities that have that role—to monitor that and act on it—ensuring those accepted practices are adhered to. We will touch on some recommendations later on as to just how that needs to be beefed up.

Ms GUBBINS: I will make a point there that relates particularly, Antony, to what you said about the inherent animal cruelty in the live export and that sort of thing: I think that is the exception rather than the rule. Most people who work with animals love their animals. They do not like to see them sick; they do not want to see them maimed. It is in their best interests to look after them. It is just like having children—you like to see your kids healthy and happy, and we like to see our animals healthy and happy.

Mr FORD: Moving on to the protection of legitimate businesses that are acting within the law and in best practice and indeed acceptable practices, we believe there has got to be adequate protection for those legitimate businesses under the law. The law must protect against unauthorised entry of property. The fear of our operators—and Georgina touched on this—over unauthorised entry is real, but on the flipside they have no fear that the practices they take with their livestock are anything but best practice. There is a fear of people coming in and having unauthorised entry, but there is also that pride and in fact there are good reasons why people show pride in what they do with their livestock.

Farmers look after their livestock, as they are the economic drivers of their business. There is no sense in treating animals badly, because they will not perform. Healthy stock are productive. Healthy and cared-for stock reproduce on time with high fecundity, and there is a pride in that production of productive, high-performing stock. So there is a real pride out there, and we will touch on that in our recommendations. Our farmers in the region are proud of what they do. They have the fear of a small group of anti-meat and milk—or livestock—activists. They have the vast majority of the public and the community on their side at a farming level and indeed in our communities. The farmers really have real pride in what they do.

So that leads us to our last part of some recommendations for the Committee: we believe the trespass and illegal entry laws should be maintained and strengthened, and this will give legitimate businesses and owners the security and peace to conduct their businesses. We need to protect the businesses' compliance and biosecurity through legislation, prohibiting non-authorised entry and behaviours. At the moment it is left to the individual to monitor entry and exit into their property, but we need to strengthen up and beef up those laws.

The Government should invest with real money, not words and platitudes, and promote a highly developed and successful livestock industry that promotes world's best animal practices within Victoria and which contributes over 60 per cent of our regional domestic product in this region. Our industry is the lifeblood of this region—over five shires.

Ms GUBBINS: And as Lisa did say, the towns do well if the farmers are doing well. If the farmers do not do well, the towns deteriorate as well.

Mr FORD: We also believe, and we have been lobbying for this in the last couple of years, that real support should be put in place to educate our consumers, to dispel these myths that are peddled by the minority of activists and promote the food and fibre production best practices that we do in the south-west and that contribute over \$2 billion worth of farm gate dollars. We think we need Government support to do this, and that is really important. The Government really has to get behind an industry that is producing world's best practice. We need to support our regulators—that is Government need to support our regulators—and ensure compliance with these best practices. And indeed on our farms and our factories, again, real investment is needed by Government to make sure regulations are adhered to and indeed best practices are fully adopted.

And lastly, the recommendation from us is to reverse the withdrawal of Ag Vic and agencies from within our region. We have seen in the last 20 years, over a number of governments of both persuasions, withdrawal of agencies from our regions, including Ag Vic. I call it a retreat to Spring Street. This retreat to Spring Street is projected to our operators as a lack of government support, care, concern and indeed diligence. So I think that a reversal of that withdrawal of Government services from the regions like ours is a major, major recommendation from us.

Ms GUBBINS: I am just going to go back to the first one, re the trespass and illegal entry. One of the biggest problems at the moment, I think, is the lack of penalties and following through for people who do illegally come into people's businesses or homes, and I just feel that it is not a deterrent at all for people at the moment. There are no ramifications whatsoever for them breaking the law.

The CHAIR: Do you think the Government or industry could create a better avenue for information about how they can manage the community impact of animal activists? Do you think there should be better policies, or different?

Mr FORD: From a support perspective I think the Government should support any activities that promote the industry to the public and dispel those myths.

Mr MEDDICK: Thank you, both, for your presentation here this morning. It was very well thought through and very in depth, and I appreciate that. I want to cover a couple of things if I can but first things first, I want to cover the laws. That was one part of your presentation here. At present trespass and wilful damage to property worth less than \$5000 attracts a six-month prison term and for more than \$5000, 10 years. Do you feel that that is not sufficient, that the laws themselves are not sufficient?

Ms GUBBINS: Are they enacted on?

Mr MEDDICK: Well, that is the judiciary. That is a different question. What the question is here, and what are the terms of reference, is are the laws themselves enough? Do you feel that those are sufficient penalties?

Ms GUBBINS: I personally do not know anyone who has actually received those penalties.

Mr MEDDICK: Again, that is a question for the judiciary, though, not for the Government who are enacting the laws. That is up to the judiciary to enact them.

Mr FORD: There is no doubt, I think, that the framework is there. Georgina's point is that it is ensuring that farmers can have or that small businesses can have faith in the framework to ensure that people comply with it, whether that is Government policy or regulations or directions from the Government or indeed to the police or whatever—I think that is the piece that is probably missing, is what Georgina is saying. The laws are adequate as long as they are adhered to.

Mr MEDDICK: And the other quick question before we move on to other people—I do not want to take up too much of your time—you mentioned the Aussie Farms map. There has been a lot of publicity, clearly, around the Aussie Farms map. I am pre-empting what your response would be but I presume that you would like to see that taken down, yes?

Mr FORD: In the context of what it is meant for, yes.

Mr MEDDICK: Okay. Then would you also like to see the federal department of environment's map, which the Aussie Farms map actually takes the direct information from and transposes, taken down? Because it does exactly the same thing in that it lists the individual businesses, their contacts, everything.

Mr FORD: No. I go back to my original answer. I think there is a context around that Aussie Farms map. It is directed at harm rather than benefit.

Mr MEDDICK: Despite the fact that it actually states on it 'Do not use this map to conduct illegal activities'?

Mr FORD: Yes.

Mrs McARTHUR: Do you see a farm as a business, and if you do, do you think it is appropriate that businesses are subject to invasion? Any business whatsoever? If you do see a farm as a business, then why shouldn't people walk into the ABC, for example, if they do not like particularly what they are saying or into a car manufacturing business or whatever? Do farmers see their farms as their business? We think that farmers also see their businesses as their homes and we have heard that activists never invade people's houses, but is their farm their business? If that is the case, is the invasion of a business acceptable?

Ms GUBBINS: I do not think the invasion of a business is acceptable, because a business owner is responsible for the occupational health and safety of anyone who enters that business. I will go back to the fact that my farm is a business but I do not actually live on my farm. I live elsewhere, but I have staff that live on my farm that call it their home, so it is a blurred line of what their backyard actually is.

Mr BARTON: I am just going to go back to the legal side of the penalties. I certainly come from an industry where those complying with the law were not protected from those breaking the law, so I certainly get it. In terms of getting it through the courts and so forth, this seems to be where the issue is. In my mind there are sufficient penalties within the trespass Act, but should the Committee be thinking about things like on-the-spot fines, for instance? And pick a number—I am not saying it should be or should not be—say 500 bucks to start with. Would that be a better option in your view?

Ms GUBBINS: Is \$500 a deterrent?

Mr BARTON: No, I am not saying the number, but should it be an on-the-spot fine? Forget about the number then. Should we have an on-the-spot system rather than someone can go off to a Magistrates Court and get a fine of \$1?

Ms GUBBINS: I think that would definitely be helpful.

Mr FORD: That makes sense. Indeed, going back to the original question from Mr Meddick, it is adherence to what we have got in the legislation that we really do require. If we then need to overlay how it is enacted with on-the-spot fines, I think that would be a good thing. For more serious breaches I think they have to go to court.

Mr BARTON: Of course.

Mr FORD: Because they have the right of innocence before being proven guilty, and indeed we would see that for more serious breaches. But for a more general breach—where one or two people may go where they should not go into a legitimate business, whether it is a factory or a farm—an on-the-spot fine would work, I think, as a deterrent to an individual.

Mr BARTON: And in terms of a regulator, someone overseeing this, do you see a problem with the ag department running this, or should there be a separate body?

Mr FORD: From a trespassing point it has got to be the police, does it not?

Mr BARTON: As well as, yes, no doubt.

Ms BATH: Thank you very much for being here today and for your presentation. Something that I just want to clarify for my understanding is that at the moment in the legislation, and it has been referred to in the discussion this morning, the minimum set penalty for, for example, the biosecurity risk is \$1. The magistrate was able to provide that as a ‘penalty’—and I am using quotation marks there—because the legislation enabled that. There was \$1 as a minimum—i.e., there was no minimum. So the monetary amount was \$1. So my question to you is: do you think that legislation that enables a \$1 fine is adequate, even though the upper limit is around \$9000 and six months jail? The magistrate, the judiciary system, was enabled to do that because the legislation exists. So I would like you to have a discussion around those thoughts.

Mr FORD: Yes. I think, just going back, the fines have to match the offence, in my opinion. If a guy jumps over a fence and tackles a farmer in his paddock about the way he is carting his cows, then that is a minor offence; right? The farmer in most cases would deal with that and say, ‘I’m doing what I’m allowed to do. You are actually entering my property. I’ll call the police’. So that is a minor offence.

I think \$1 does seem like an irrelevant fine to me and the legislation that specifies that should be changed. In today’s world a \$1 fine is just not relevant. Is it a \$500 fine, as we were talking about before? Is it a \$1000 minimum? Because you have got to get the police out there, you have got to charge the person, you have got to put them through the courts—what is a reasonable fine?

Ms GUBBINS: Whatever it is, the lower limit has to be a deterrent.

Mr FORD: Yes.

Ms GUBBINS: Otherwise there is no point.

Ms BATH: If I can just talk about a slightly different topic but something that you have raised, I think it was the withdrawal to Spring Street of the ag sector or Ag Vic or the department that had been set in regional Victoria and rural Victoria for a long time. You mentioned both sides, so we will just be really transparent about that. Can you give me some examples of maybe where you have seen that occur and what the detriment has been? So I am just raising: has there been a department with X many people in it in Warrnambool and has there been a reduction of that staff and what was the outcome? Because if we are talking about transparency and we are talking about communication you are saying—or I am hearing you say—that that has been detrimental to the industry.

Ms GUBBINS: I will bring the Hamilton farm up. There is a farm that used to be called the Pastoral and Veterinary Institute. I am not sure what its current name is at the moment because it has changed probably 15 times in my lifetime. We hear nothing that comes out of it anymore. It is a research farm that I would say 10 years ago had grazing trials happening that were supported by Meat & Livestock Australia, Grains Research and Development and Australian Wool Innovation as well as the department. A lot of information came out of that farm that then created practice change on-farm. I would say I know people even from Gippsland who came over to see that trial. None of that work is being done there anymore. Re staff numbers, I cannot comment on that. I have not looked it up.

Ms BATH: But valuable R and D, I guess is what you are saying, happening in the regions you feel is being contracted?

Ms GUBBINS: Definitely. It is about practice change and what Lisa was talking about—best practice. If you have got best practice happening within a region that people can go and view and farmer groups can discuss and things like that, you are more likely to get practice change.

Mr GEPP: Thanks for coming today. I just wanted to follow up from that last point in one of your recommendations in relation to industry best practice, I will call it. Around that—and we have heard various evidence from different parties in other parts of the state—do we have enough codification in the area of best practice that would enable us, if you like, to have a better compliance regime overlaid by the various authorities, or does that need to be supported as part of the Inquiry?

Mr FORD: That is our point. It is a lack of support at the regional level of both the compliance and the evolving best practice. Now, we all know best practice today is going to be different to best practice tomorrow. We really need to evolve, and we have. Our industry has evolved over hundreds of years; right? But to me unless we provide that Government service support to assist best practice adoption, develop best practice which is through research, ensure compliance and regulation, then the Government is failing. Because it is a big industry for Victoria, and in our opinion compliance and regulation is one part of the puzzle of developing best practice, getting best practice adopted but then ensuring that best practice is compliant and under the regulatory framework.

Mr GEPP: And the other part, about the codification: in terms of those standards, those best practices—

Mr FORD: Yes, I think they change all the time.

Mr GEPP: Well, they do, and we get that. With new technologies and the like there is always some movement. I guess my point is: are we confident that all producers are following a set of standards to the letter of those standards? That is the criticism we have heard from animal activists, if you like.

Mr FORD: Yes, there is a small percentage that are not, for sure, but the majority of farmers do aspire to best practice and improvement every year, because if you are in business you have got to improve.

Ms GUBBINS: There is also a livestock production assurance that farmers sign up to and supply to the market. If you are not a member of livestock production assurance it is up to market forces as to whether they buy that product or not. But depending on where they sell that product, they also have to assure the consumer that the livestock have been produced to a certain standard.

Mr MEDDICK: Sorry. I just wanted to refer back to something that Mr Gepp had mentioned before, and it does speak to transparency and consumer confidence et cetera. Would you agree, then, that if we are promoting industry best practice et cetera and trying to get that out as a message to the consumer, codes of conduct and regulations, many of which are at this point of time voluntary and set within the industry and industry regulated, should become mandatory and be enforced? And that as a part of that enforcement the transparency to the consumer would be things like mandatory CCTV, so that the consumer can see those practices for themselves and decide whether they believe that those are up to community standards—what they believe should be standards—surrounding animal cruelty or lack thereof, and that the community should set those standards?

Mr FORD: I think that CCTV is probably at the extreme end. I do not think we as a farm business or any business down in the main street would like to have the Government looking over our shoulder and looking at what we do.

Mr MEDDICK: But we are talking about the lives of animals here, so we are talking about a very regulated industry.

Mr FORD: Yes, we are. That is why we make a real point of saying as an industry that we believe that best practices have to be followed, and then, if we can identify where it is not being followed, we should have the framework and the peer pressure and indeed the compliance frameworks that drive people up to the best practice.

Mr MEDDICK: But what about a legal framework?

Mr FORD: We have to have some legal frameworks there, and we have got some legal frameworks around cruelty to animals and the way we treat animals.

Mrs McARTHUR: You have articulated very clearly the importance of the Great South Coast area to the state and the nation's economy. It is the number one region for agriculture production in this state; 2 billion of animal-based farm gate output out of the 59 billion total nationwide comes from this area and 60 per cent of the regional domestic product. Let us cut to the chase here. Animal activists want to put an end to animal production and the use of animals in any way, so all the CCTV cameras and mandatory regulation in the world will not satisfy animal activists. They do not want animal-based production in the agricultural industry. If we were to move to a completely plant-based system of agriculture, how would this impact this region, given the economic indicators that you have articulated? And is it possible, given the different areas of weather and soil and so on and so forth, that you can have totally plant-based production?

Mr GEPP: I think, Chair, if we were in Parliament, the President might say, 'Asked and answered by Mrs McArthur'.

Ms GUBBINS: Look, if we stopped animal production right here and now, you would have animals starving, because they would multiply and there would be nowhere for them to go.

Mrs McARTHUR: No, there is an animal farm refuge. It has got 150 acres

Ms GUBBINS: Many people work with animals because they love working with animals. There would be a huge mental health problem in this region. There are many areas, like my farm, where most of the year it is too wet to grow vegetables.

I am also going to mention—let us look at the way man evolved and how his brain capacity increased enormously and the pathways in his brain increased when he started eating animal protein. Let us not forget that side of it either. I mean, I do not have a problem with vegans or vegetarians eating the meals that they eat, but I, for my health—and I have got a nursing background—would much prefer to be an animal protein eater because I know that it helps the brain pathways and things like that and my children's brain pathways. I really feel sorry for them because I think in 50 years time they will probably see what it has actually done to the evolution of man.

Mrs McARTHUR: Choline deficiency.

Ms GUBBINS: You have totally stuffed my line of thinking now.

Mr FORD: The decimation of our region's economy would be the result of withdrawing animal production, because the adaption to a plant-based system—what are we going to do? We cannot all grow wheat because some of the regions—

Ms GUBBINS: Too wet.

Mr FORD: Too wet or whatever. We just cannot adapt quickly. It has taken 200 years to get to the production systems where we are today—which are still evolving, I might add, they are still evolving. But to switch that off, the economies would be decimated.

Ms GUBBINS: As well as these skills around that also. So there is going to be a lag effect of people changing their skill set, which is then going to impact the town. So it really will impact the economy enormously.

The CHAIR: Thank you. On behalf of the Committee I would like to thank you for your time and your contribution. In a few weeks you will receive a copy of the transcript for your proofreading. Thank you very much.

Witnesses withdrew.