

# TRANSCRIPT

## LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

### **Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture**

Warrnambool—Tuesday, 17 September 2019

#### **MEMBERS**

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Mr Bernie Finn—Deputy Chair

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**WITNESS**

Ms Katherine Cain.

**The CHAIR:** Welcome to the public hearing of the Economy and Infrastructure Committee. All evidence taken at this hearing is protected by parliamentary privilege, therefore you are protected against any action for what you see today, but if you go outside—that is where you need to be nervous—and repeat the same—

**Mr MEDDICK:** You are safe in here.

**The CHAIR:** those comments may not be protected by this privilege. Before you start, please state your name for the Hansard record, and allow us some time to ask you questions.

**Ms CAIN:** My name is Katherine Cain. I am going to read, because it is easier for me to do than ad lib. Today I wish to share a layperson's opinion into the current threat of illegal entry onto farms by animal activists. First, I would like to explain a little bit about myself and my family's business. I, along with my husband and young family, operate a beef business with around 1000 breeding cows, where we sell steers to backgrounders, finishers and feedlots.

We utilise low-stress stock-handling techniques on our property and, wherever possible, positively incentivise animals to do what we need them to do. So we take a carrot rather than a stick approach to livestock management. Animals are tested regularly for worm burden and treated accordingly. Their nutritive requirements are calculated when being supplementary fed and the feed on offer is regularly assessed when grazing. They are at all times treated humanely.

So why am I sharing this information? Because we are not a lot different to the average farmer, and I guess that is my point: livestock farmers care for their animals. Why? Because it is in our interests to do so. Life is easier, and there is clearly an economic imperative to have content and healthy animals. They produce and perform better and ultimately attract a premium if they are well cared for. Unfortunately this is not the image imagined and portrayed by animal activist groups. Where the disconnect between reality and imagination happens I do not know, but it has to the point where people believing they are acting in animals' interests are motivated to take action. I do think it is pertinent to note that I do not want to demonise these people because I do recognise that the overwhelming majority of these people are acting out of really very, very good intentions. However, they are misguided, and many have become overzealous to the point where they are breaking laws and putting livelihoods and the nation's economy at risk.

The manner in which these activists break laws, act violently, vandalise, steal and expose themselves and others to direct and indirect danger flies in the face of their good intentions. To put it simply, they need to be stopped. If other members of society did these things with different motivations, they would be severely punished. Instead these people are virtually sanctioned by the legal system to proceed with their actions, and the apparent get-out-of-jail-free card this section of society seems to carry reeks of preferentialism.

At present, as I understand it, Victoria's *Summary Offences Act* offers up to six months jail time or a just over \$4000 fine for trespassers. I am happy to be corrected on this point, but it would seem that no animal activist in Victoria has received anything like this penalty. To date little has been done to curb the illegal activity undertaken by animal activists. Punitive fines meted out by judges have been laughably small and jail sentences non-existent, whereas we as livestock farmers are abiding by the law. We run commercial businesses that produce food and fibre from animals. There are rules which we must adhere to to ensure the welfare of our animals is met. Activists illegally entering commercial properties and stealing and vandalising are breaking the law. Rules are rules and laws are laws. They are there for a reason; they protect everyone and in turn should apply to everyone.

Fines and imprisonment not only need to be enforced in Victoria but also increased in line with other states. I urge the Victorian Government to impose harsher sentencing on animal activists than have been to date. I further suggest greater support for farmers to protect themselves and their properties from animal activists entering their businesses. This support should be in the form of police assistance, creating awareness within

agricultural communities of their rights as they relate to illegal theft, enter and vandalism by activists, as well as subsequent legal support and counselling for farmers.

I also suggest that organisations that endorse, organise or encourage this type of illegal activity be subject to penalty. The recent federal *Criminal Code Amendment (Agricultural Protection) Bill* to include incitement of trespass or property offences on agricultural land is fantastic to see, but it will need to be policed, and without resources directed into this area this amendment will serve as nothing more than a platitude to the agribusiness sector. Surveillance in some form must be undertaken.

Animal activism and unlawful entry is a very serious issue that needs to be treated accordingly. Apart from the direct threat that activists pose to the welfare of livestock, themselves and other people, the indirect impact they pose is a threat to not only animal and personal welfare but to our state's economy. To quote the *Agriculture Victoria Strategy*:

Victoria is the powerhouse of Australian food and fibre exports.

Our state is the biggest exporter by value nationally, and with over half the gross value of Victoria's agricultural industry derived from livestock and a projected stratospheric increase in demand for Victoria's animal-derived proteins, the future is exciting.

Victoria's livestock farmers are among the world's best. We are efficient, sustainable, and we practise our craft in a manner that is ethical to our animals. Industry-led protocols and regulations have been put in place to ensure that we prevent, wherever possible, needless pain or distress to animals. Agribusiness is the sector with the strongest correlation to Australia's competitive advantage, and this is driven by our high-value biosecurity status, stable and attractive business environments, and amongst key competitors Australian agricultural product is considered the most safe, most sustainable and best value. Australian agriculture has great social licence internationally, and we need to leverage this advantage, not undermine it. The propagandist and aggressive actions undertaken by a few puts all of this in jeopardy. Allowing animal activists to seemingly act with impunity sends a message to both the national and international community that there is something wrong with our livestock industry when, as mentioned, it is a world leader.

The risks activists pose by unlawfully entering farms and removing livestock is also one of the biggest threats to biosecurity in this country. Livestock illegally removed from farms becomes untraceable and if an infected animal is untraceable, the source and spread of disease becomes impossible to determine. If an exotic disease was to spread across our state or country, the results would be catastrophic. There are regulations that farmers must adhere to regarding the transfer of livestock between properties and certain procedures we all practise to reduce the risk of disease spreading that are certainly not undertaken by activists. And also what needs mentioning is the myriad of farm accreditation programs that we as farmers sign up for. Breaches of the regulations stipulated by these farm accreditations, such as unknown vehicles, people or livestock entering properties, puts a number of these accreditation programs at risk, causing significant financial loss to these small businesses.

And to conclude, and whilst this does not directly address the issue we are here for today, I believe that not only industry bodies but Agriculture Victoria needs to provide counterbalance to this situation that will neutralise and nullify the propaganda that is being peddled about as it is this propagandist message that is actually inciting illegal activity. So I liken it to, say, the Government's domestic violence campaign which seeks to reduce violence against women rather than simply increase the punishment of offenders. Sending a message to the community that Victorian farmers are good at what we do is important. Instead of responding to the opinions of a vocal few that seek to influence the majority, shaping opinion and perception of agriculture through fact-based evidential information and improving transparency as to what really happens on livestock farms and abattoirs would reduce negative perceptions and in turn illegal activity. An ounce of prevention is worth a pound of cure. Thank you.

**Ms BATH:** Katherine, I would be interested to understand on your farm with your practices what are some of the layers of oversight both on a council level, on a state level—and it does not matter if you cannot differentiate but you may be able to—and on a federal level that you have to undergo in order to put your product to market?

**Ms CAIN:** So I cannot necessarily comment on regulatory bodies as such, but perhaps what I would comment on is I guess farm accreditation programs that we undertake, which ultimately are in our economic interest to do. They are things like EU accreditation, which involves restricted use of chemicals and things like that on your farm and transfer of livestock between properties and those sorts of things. We are also part of the JBS program. It is called—hopefully someone in the room might be able to help me. It is farm assurance something; I am sorry, I have forgotten. But again it is about reducing disease and other risks to the animal and feeding them in a grass-fed situation—again, no HGPs, no chemicals et cetera.

But again I guess what I would like to get back to perhaps is the point that it is not necessarily about the rules and regulations for I think us as producers. It is actually about the interests that we have as farmers ourselves to actually care for our animals. I mean apart from the feel-good factor et cetera, it is actually in our interests to do so, and I think that is where the disconnect between what is perhaps put out there, whether it be in social media or the media at large, the disconnect between that and reality is vast.

**Mr BARTON:** Hi, Katherine.

**Ms CAIN:** Hi, Rod.

**Mr BARTON:** In our briefing papers here it says that you have got some genuine fears about activists coming onto your property.

**Ms CAIN:** Yes.

**Mr BARTON:** Has it happened to you or friends or family?

**Ms CAIN:** Touch wood, no. I think that luckily enough it is the urban-centric portion of society that seems to be more on board with this animal activism movement. I am in the very, very, very far south-west corner of the state, and fortunately that means that it is a little bit too far for them to drive, I think, is quite simply the answer.

**Mr BARTON:** Cannot afford the fuel.

**Ms CAIN:** Yes.

**Mr BARTON:** But, you know, I certainly accept that people have got genuine concerns, and a fear.

**Ms CAIN:** We have put practices—when I say practices, that sounds very extreme—in place to mitigate that. That would be things as simple as making sure all gates on properties have got a padlock on them. We have a biosecurity sign on our gate. We also have a ‘Trespassers will be prosecuted’ sign, which is a relic from the past, but that is all there. It is not like we have got video surveillance and all that sort of stuff out there, but we have got things in place so that in the event of something like that happening we are in a position where we feel that we could deal with that situation appropriately.

**Mr BARTON:** Right. Thank you, Katherine.

**Mrs McARTHUR:** Katherine, thank you very much for your very lucid presentation this morning. We are most grateful.

**Ms CAIN:** Thank you.

**Mrs McARTHUR:** Animal activists actually do not want you to be doing anything with animals, in the end, as a product. That is the bottom line. In your property, could you move to a cropping situation or a horticultural or other form of plant-based production, which is what the activists would have us all do? In plant-based production, is there any product used that actually also destroys the vermin and pests that are needed to produce the plant-based product?

**Ms CAIN:** Beverley, to the first point, I suppose when you are saying that activists simply do not want us to use animals in any way for agriculture. How do I put it? I feel like that is misinformation on their part, and I do not accept that that cannot be reversed. I do not accept that it is as simple as black and white: ‘That’s my

position, and I'm not going to change that'. I think that it is actually about educating people on what animal farming is about. I take exception to, I suppose, that thing where it is us against them. It is not; it is about trying to be inclusive, trying to involve everyone in the argument. There is that point.

As it relates to our property, as I said, in the south-west corner of the state it is not unusual for us to get 1000 milligrams-plus rainfall. This is a very dry winter for us this year, thankfully, which is actually very nice. In a typical year there is no way we would even countenance taking a ute out into our paddocks because you would simply get bogged. We drive around on motorbikes because it is just too wet. So physically there is no way that we could plant crops of any description in our environment because it would simply be too wet.

As it relates to vermin control, that is that age-old debate that I guess pro-livestock farmers throw out there—that more sentient animals get killed through cropping than they do through livestock production, which I genuinely do believe. That is it, I suppose, yes.

**The CHAIR:** To follow up your answer, earlier this morning the first witness said she had a debate with her husband about inviting people to come in, and you just mentioned education. I do not know who won the debate, by the way, but do you believe better education will help?

**Ms CAIN:** Yes, I do.

**The CHAIR:** Is there anything you suggest? That is what I meant.

**Ms CAIN:** I actually do not really know there is an answer for it because it has been that disconnect, I suppose, between rural and regional areas and the city that has largely brought it about. There is that adage—people have said, 'Everyone had a relative on a farm' a generation ago. They visited, they knew what happened, they knew what went on and no-one being was like, 'Oh, holy moly, that's a bit rough'. But we do do that now. I think that there is the bottom 1 per cent or 2 per cent of farmers out there that are pretty crap at what they do, and they do do mean things to animals, let us be blunt. But the overwhelming majority do not, so it is perhaps about picking out those 1 per cent or 2 per cent, sorting them out, and then showing to the rest of the world—or even to our city cousins—that what we are doing is actually okay and no-one is getting hurt. Yes, animals die earlier than they are expected to do. At the end of the day we can argue from a philosophical point of view whether that is cruel or right or wrong or whatever, but it is life.

**Mr GEPP:** No, I have got no questions. Katherine is far too sensible for any questions that I have got. I do not know why you were nervous coming here today. You have nailed it.

**Mr MEDDICK:** I reiterate what Mr Gepp just said. I do not know why you were nervous at all. You presented extremely well. I simply have one question. The basic tenet of this Inquiry is that: are the laws adequate enough? That is the main reason that we are here. Now, we can hear all sorts of other claims and counterclaims and sorts of things about the amount of animals killed in crop production, which of course the Archer report refers to, and that has been actually refuted over 20 times by his peers and his methodology has been actually thrown out—out by as much as 400 per cent as a matter of fact. However, that aside, to what we are here for: Victoria, like every state in Australia, is a democracy, and under a democracy all people are treated equally under uniform laws. So those laws are set, and it is a basic tenet of democracy that the laws of the land are there to apply to all on an equal basis.

**Ms CAIN:** Absolutely, yes.

**Mr MEDDICK:** Why should one group of people in that respect then fly in the face of that basic tenet of democracy, in that a different set of laws should apply to them as opposed to everybody else?

**Ms CAIN:** It should not.

**Mr MEDDICK:** Well, that is what we are arguing about here. So the law actually is adequate for farm trespass. The complaint is then that it is not being applied. Would that be correct?

**Ms CAIN:** Look, I would say so. I think there is this perception of moral supremacy amongst animal activists that what they are doing is right. Yes, we can argue yea or nay on that point, but I think that that is

where the application of the law seems to be quite rubbery, I guess, and that is where I take exception to that. You know, I would hate to quote it because it is probably well over-quoted, but that Gippy Goat scenario, where you have \$1 being fined to someone for taking someone's property, is laughable, really.

**Mr MEDDICK:** And that, I guess, is my point.

**Ms CAIN:** And I take exception to that. I also question—and I am sorry; I am not a lawyer or anything, so I do not know the ins and outs of it—

**Mr MEDDICK:** Neither am I.

**Ms CAIN:** But I question whether or not the fines are actually adequate at this point in time. I mean, a lot of the animal activist groups fall under charities, as I understand it, which have access to donated funds, and I would think that those donated funds, where possible, may go toward paying some of these fairly punitive fines. I think that in some way, shape or form that needs to be addressed.

**Mr MEDDICK:** So would you agree then, I guess, that if the fines are not adequate, then the fines should also be the same for trespass of a factory somewhere in Melbourne et cetera? That is what I am saying. Why should there be this differentiation just because of the industry?

**Ms CAIN:** Sure, okay.

**Mr MEDDICK:** I would add that there is also a perception amongst some—not just among the animal rights community but among the broader public—that the opposite side hold themselves as of a higher moral compass, if you like, as well.

**Ms CAIN:** Yes, but the other side do not actively do anything to the other groups.

**Mr MEDDICK:** Sure.

**Ms CAIN:** I can believe what I believe is right, you can believe what you believe is right, but at the end of the day as long as you do not harm me and I do not harm you, let us all have different opinions; we are all cool.

**Mr MEDDICK:** Happy days.

**Ms CAIN:** So I do not take exception to that. But I guess I do not know is the long and short answer to it. I suppose my concern is that trespass in this situation goes above and beyond simply just being a public nuisance. It does have far-reaching consequences for the biosecurity of Australia—it really does—and for that reason I think that that should receive more punishment, I guess. But that is a personal opinion, and that is in no way perhaps—I do not know—ethically right or whatever.

**Ms BATH:** Thank you very much, Katherine. You are doing amazingly well. We have heard, and it is also in the public domain, that there has been on-farm and chicken meat farm trespass in your particular domain, but I will just walk you through this—where activists in numerous quantity have gone onto a property, have damaged the facilities, damaged the water facility within that farm and have ended up causing the death of a number of livestock, and unfortunately none of those people were arrested. The key factor for the police was that they just wanted to make the farmers safe and exit those people from the farm. None of those people had any form of arrest.

What the New South Wales Government has just done is introduced a \$1000 on-the-spot fine. They need to have a biosecurity management plan, which many farms do, and I think it can be not too onerous to make that happen. What is your opinion of the on-the-spot fine in relation to that example I have just given you?

**Ms CAIN:** I think it has a potential to work better because I think that there has been the upper extent of what can happen to someone and they go to court and they argue their point and ultimately it has seemed like that has been enough—essentially they walk away without any real punishment. So I guess that that actually removes that potential for that to happen. So I guess in principle, yes, good, but I do not know. I am sorry, I am not—

**Ms BATH:** No, you are fine. We could leave the rest of the details to the courts.

**Ms CAIN:** Yes.

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

**Witness withdrew.**