

LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into the impact of animal rights activism on Victorian agriculture

Melbourne—Wednesday, 4 September 2019

MEMBERS

Mr Nazih Elasmari—Chair

Mr Bernie Finn—Deputy Chair

Mr Rodney Barton

Mr Mark Gepp

Mrs Bev McArthur

Mr Tim Quilty

Ms Sonja Terpstra

PARTICIPATING MEMBERS

Ms Melina Bath

Mr David Davis

Mr David Limbrick

Mr Andy Meddick

Mr Craig Ondarchie

Mr Gordon Rich-Phillips

Ms Mary Wooldridge

Dr Catherine Cumming

WITNESS

Ms Jan Kendall.

The CHAIR: Ms Kendall, welcome to the public hearings 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 say here today, but if you do repeat the same thing outside, those comments may not be protected by this privilege. Before you start, could you state your name, please, for the Hansard record, and allow us some time to ask you questions. Welcome.

Ms KENDALL: Thank you. My name is Jan Kendall. Thank you for inviting me to appear. I spent many years on our family farm—but farms are much bigger nowadays, and intensive farms are like prisons. Whereas human prisoners have outdoor exercise yards and activities to stimulate their senses, the equally sentient farm animals spend their short lives crammed into wire cages. They never see daylight. They are on death row, their only certainty a ghastly death. Factory farms and feedlots are designed to provide cheap food for our burgeoning global population, but thanks to animal activists the community has seen inside these places and it does not approve.

Farming animals to eat is not sustainable. There is too much land clearing, drought and degradation, and planet Earth is fast running out of pasture for stock. Plant-based protein and lab meat alternatives are becoming mainstream. Richard Branson predicted that no animals would be slaughtered for meat by 2050. When huge US food multinationals like Tyson Fresh Meats and Cargill are investing in plant-based food with the likes of Bill Gates and other billionaires, I think it might be sooner than 2050. Every day there is a new start-up, the most recent exporting edible insects. So big changes lie ahead.

As former High Court judge Michael Kirby said:

There is nothing so powerful in the world as an idea whose time has come, and animal protection is just such an idea.

I wonder why politicians and the industry claim Australia has world-best farm animal practice. The World Animal Protection Index ranks Australia C—on a par with Malaysia, India, the Philippines and Poland. France has mandated CCTV in all abattoirs, with an independent commission to monitor ethics and stiff penalties. We are the only country in the developed world that still has battery cages. While Germany has adopted technology that will end live chick maceration, our egg industry is complaining because Coles has stopped selling cage eggs in Western Australia, well ahead of the company's 2023 national phase-out.

Since 2006 the dairy industry has had sexed semen available, enabling only female calves to be born and saving the slaughter of five-day-old male calves. Some farmers, like How Now Dairy, use sexed semen and do not kill bobby calves. They say the industry attitude that 'bigger is better' is not a winner and is hurting dairy farmers. Why is the industry not urging farmers to take up this technology to improve calf welfare and their social licence? The dairy industry proudly announced that only 10 per cent of dairy cows now have their tails docked. It should be treated as a crime—as it is for our domestic pets.

Back in 2011 the Victorian Government commissioned a report on Victorians' attitudes to farming. I commend it to Committee members. Eight years ago that report found exactly what the 2018 Futureye report found, except that the public concern about farm animal welfare has skyrocketed in the interim, from 31 per cent of respondents being critical of conventional agriculture in 2011 to a whopping 91 per cent in 2018. Both reports found there is no city/rural divide on farm animal welfare issues.

By introducing ag-gag laws, the PM and industry say they are sending a strong message to the community. The only message ag-gag laws send is the message that farmers have secrets to hide. Some politicians and the industry say activists and their vehicles breach biosecurity. What about the tankers that collect milk from different dairy farms all day, every day? What about the vets? How are their vehicles made biosecure? At the recent Canberra hearings on the criminal code amendment bill, neither the RSPCA nor the Australian Veterinary Association said they knew of any cases where animal activists had caused a disease outbreak.

Our family has been on the receiving end of farm trespass. We were once trespassed by carloads of duck shooters, wielding guns and wanting to shoot on our wetlands, as the previous owner had. Dad told them, 'No duck shooting here anymore'. Some nights Dad had to confront shooters on our farm's perimeter who were spotlighting and shooting across paddocks, putting our stock at risk. We also had trespassers who helped themselves to the petrol bowser, until we locked it. On a more benign note, some trespassers came through our fences on mushrooming expeditions. Our only concern was that they left some mushrooms for us. Although I find shooters confronting, I never felt terrorised by any of these acts of trespass. And do not forget animal activists are not interested in hurting anyone—animals or humans.

At the Canberra hearings the farm industry representatives said they had no statistical evidence of any increase in trespass by animal activists. As Senator Carr observed, farmers are also activists. What about the Lock the Gate Alliance, and farmers' strident opposition to fracking, coal seam gas and water pipelines, not to mention their trespass on mining company land? The senator also recalled how activists in Victoria, while monitoring animal welfare in abattoirs, have exposed other illegal activities such as meat substitution and drug smuggling in animal carcasses.

I do not know Chris Delforce personally, but I am comforted that he and other activists are watching out for our farm animals and seeking transparency. No-one can check every farm. It is a trust issue. But in the absence of anything better, the footage obtained by activists is all there is. Actually, when I say there is no footage the Federal Department of Agriculture has footage from the independent observer on a 30-day voyage last May by the *Al-Shuwaikh* to the Middle East. Of the more than 69 000 sheep on board, 609 died, which is a mortality rate of 0.88 per cent, just below the 1 per cent threshold at which a review is triggered. Under FOI the RSPCA's Jed Goodfellow, who will be here this afternoon, has been trying for a year to see that footage, but it seems the federal department responsible for policing the live export industry has refused to release it on the ground that it could be used to lobby for a ban on live exports—so much for truth, transparency and trust in agriculture. Thank you.

The CHAIR: Thank you. In your submission you suggested increasing penalties. Beyond increased penalties for trespassing on farms, how do you think the Government could respond to the issue of animal activism?

Ms KENDALL: Well, I think I said quite a few times in my submission that they need to strengthen the standards for farm animal welfare. I referred to the Productivity Commission, which recommended that they have an independent statutory authority that can set regulations and police them—enforce them. There is no-one monitoring. No-one is monitoring farm animal welfare in this country. Victoria could take a lead here.

Mr FINN: Now, listening to your words today I cannot help but come to the conclusion that you are calling for the end of the beef, lamb, pork and dairy industries. Would I be correct in that?

Ms KENDALL: No, I do not think so. I think—

Mr FINN: When you said you would like to see the end of animals produced for consumption.

Ms KENDALL: Where did I say that? Can you tell me where I said that in my—

Mr FINN: Well, you said it a little bit earlier in your in your verbal address to us.

Ms KENDALL: Today? No, I do not think I said that.

Mr FINN: Okay. Well, look, I am pretty sure you did, but anyway we will go to the video.

Ms KENDALL: I am aware of what I said, and I do not think I would have said that.

Mr FINN: Is that what you want, the end of the beef, lamb, pork and dairy industries?

Mrs McARTHUR: Chicken.

Mr FINN: And chicken, indeed, yes.

Ms KENDALL: I would like those industries to be monitored for animal welfare compliance with the standards, such as they are, but before that the Government needs to regulate so that the standards improve animal welfare. At the moment all sorts of mutilations—I have seen all sorts of mutilations with my own eyes growing up on a dairy farm. I know what goes on. I do not have to watch—

Mr FINN: I grew up on a dairy farm too, and I have got to say that I did not see any mutilations, but anyway.

Ms KENDALL: Well, maybe you were not helping on the farm.

Mr FINN: Perhaps I was, and perhaps I did not see the sort of mutilation.

Ms KENDALL: What sort of farm was it?

Mr FINN: It was a dairy farm.

Ms KENDALL: Oh. You did not disbud the calves' horns?

Mr FINN: Sorry?

Ms KENDALL: You did not do disbudding of calves' horns?

Mr FINN: Not that I recall, no. But anyway—so you are very happy to keep those industries going?

Ms KENDALL: As I said, I think the world is changing. It is unsustainable for agriculture to keep going the way it is. When people like Bill Gates and Branson and other billionaires, and even huge US meat producers, are investing in plant-based products, I think the writing is on the wall. If there were more transparency in agricultural industries, I think more people would stop eating meat because they could see how cruel it is. So I do not really think it is a matter of, 'Do I believe they should be stopped?'. In my dreams, perhaps yes, because it would end this cruelty, but I think it is going to happen anyway. And the sooner farmers realise that and do something about it, the sooner—

Mr FINN: What might that be?

Ms KENDALL: The world will be a better place to live in.

Mr FINN: What would you like them to do? When you force these people off their land—

Ms KENDALL: I am not talking about—you really are using very emotive language, excuse me.

Mr FINN: No. I think you are doing that yourself. You are doing a fair bit of that yourself, actually.

Ms KENDALL: I am not forcing anyone to do anything.

Mr FINN: When you force beef farmers and chicken farmers and dairy farmers out of business, what do you expect them to do?

Ms KENDALL: I cannot really accept the premise of your question, because I have not said I want to force anyone to do anything. I just would like the Government—

Mr FINN: Well, when that happens then, in your dreams, what do you dream that they will do?

Ms KENDALL: I would really rather not talk about my fantasies. I would rather talk about—

Mr FINN: Well, I tell you what: I am pretty happy not to talk about your fantasies too, just between you and me and the gate post, but I would really like you to answer the question.

Ms KENDALL: Which is based on the wrong premise, so how can I answer something that I have not said?

The CHAIR: Thank you.

Mr MEDDICK: Thank you, Ms Kendall, for your very forthright and truthful testimony here today. Now, you grew up on a dairy and beef farm in northern Victoria, and you say that you witnessed various practices firsthand and that you are now, as a result, an advocate for farm animals. Can you describe in detail some of those practices that you witnessed?

Ms KENDALL: Well, there was the castrating of young animals. If you do not castrate them, obviously you are going to have lots of little—huge—bulls running around, so I do not know how Mr Finn managed on his farm with bulls running around everywhere. Animals are thrown into a crate and held there and then there are these huge burdizzos that they use to actually cut the tubes that come down to their testicles. I have seen that happen, and I have seen them stamping their legs because of the pain—no pain relief.

This is not cruelty as a cruel act. This is a routine farm practice. I mean, this is what they do. Nowadays there is pain relief available, but farmers often do not use it because of the cost. It is like mulesing; I have never seen that, thank God. I think that is one of the most cruel, horrible things. Now, there are lots of different techniques that can be employed, but they all cost money. I think Victoria is actually going to mandate pain relief for mulesing—soon, I hope—and that is leading the way. I would love to think Victoria could lead the way in other ways, like standard-setting in agriculture.

Mr MEDDICK: Thank you, and I only have one other very short question then: what changes to legislation do you believe could improve animal welfare, and would that perhaps involve the changing of the current voluntary industry codes to a set of mandatory, enforceable laws?

Ms KENDALL: Well, I think, as I said in my submission, self-regulation is a waste of time. Nobody knows what goes on behind farm gates. You have inexperienced people doing mulesing and castrating and all those sorts of things. The Productivity Commission in 2016 recommended an independent statutory body to have someone who is not like the Department of Agriculture, which promotes agriculture as well as enforcing the standards. So I think you need a completely independent body, federally, and to have some science put into the standards and make sure that they are monitored and enforced.

Mr LIMBRICK: Thank you for your evidence, Ms Kendall. It was very interesting. One of the things that you spoke about a lot in your submission was plant-based or synthetic meats.

Ms KENDALL: I do not think it is synthetic, actually—it is lab based, so it is laboratory.

Mr LIMBRICK: Yes, or lab based—artificially produced.

Ms KENDALL: It is, actually. The lab meat is—

Mr LIMBRICK: Lab-based meat; let us call it that.

Ms KENDALL: Yes. It is actually made of animal product, so it is different from the plant-based.

Mr LIMBRICK: I find this quite interesting. There are two things going on here. One is like a market choice thing, which you talk about—with consumers knowing more information and then choosing these new products.

Ms KENDALL: Which they are doing.

Mr LIMBRICK: And so my understanding is that one of the big barriers with lab-based meat is the energy requirements to produce that. That is one of the fundamental issues that they are trying to solve, and I know Bill Gates has put a lot of investment into that. What do you see as the barriers to uptake of this sort of thing? What can government do to have this industry thrive, as a choice? So rather than things like prohibiting meat production, allowing more choices for consumers to choose these other kinds of things.

Ms KENDALL: I do not think governments are ever going to prohibit meat production. What they can do is make it less cruel and monitor the standards and enforce them and give penalties. I think the market will take care of the rest like it is doing, like in America, where a lot of the plant-based foods are coming from. Some is

coming from New Zealand. The market will take care of it, like they have with the cage-free eggs. People have spoken; industry listens.

The politicians, excuse me, are lagging behind, because the market is already acting. Coles, Woolworths, Subway and McDonald's—they are all introducing plant-based food in America, every day. My computer is just full of all the information coming in. It is really changing. I cannot keep up with it. The market is there, and in America you have got billionaires investing in it. You have got meat companies investing in it. So I think it is going to be the next big revolution—and bring it on.

Mr LIMBRICK: So you think that the role of government really should be to let this happen rather than get too involved?

Ms KENDALL: No. Sorry, I do not mean to waggle my finger. As long as animals are killed for people to eat, I think the government has a role to set the standards, monitor them, monitor what happens—as best it can because of diverse farming, with huge areas to monitor—and police them.

Ms TERPSTRA: Thanks for your presentation, Jan. Thanks for coming in. There has been some discussion amongst other witnesses around transparency and also a type of system where you might find producers are required, whether it be online or somewhere, to talk about the practices they use in their farming, so truth in labelling and those sorts of things. What do you think about that as a feature of trying to get more transparency around farming practices? Do you think that would be a useful thing or not particularly helpful? What do you think?

Ms KENDALL: Well, it has been a bit of a battle getting truth in labelling anywhere, especially with the cage-free eggs and barn laid and all that sort of thing. I mean, you do not really know what is fair dinkum. I do not think there is much trust—I do not even eat eggs anymore because I do not trust the system—so it is going to be a battle trying to get it. I just think that is admirable but rather utopian. As I said, I think the market is going to take over anyway. The plant-based market is taking over.

Truth in labelling, it is a good point. I would like to see no animal products in any food I buy, because I do not eat any animal products, but I think the Government's role is, as I said, to do what the Productivity Commission said, and that is a start. But the Federal Government, having wasted the time of the Productivity Commission in investigating all this in detail, just shelved the report, and they wonder why the community is up in arms. Then they did the Futureye report. They commissioned that report and did not like the results particularly—I do not know, I could not get a copy of it for about a year. Now it is available; you can get it online. Then there is this live export business with the secrecy. I mean, live exports are what got me advocating for animals and that is what gets the community advocating too when they see what the Government is prepared to allow to happen. It was not the Indonesian thing in 2011; it was before that when we sent animals over there to have their throats cut without stunning. And by the way, there are abattoirs in this country—12 in this country, I think—who are exempt from pre-stunning before slaughter. So there are abattoirs in this country that do not stun animals before they slit their throats, and it is legal.

Mr LIMBRICK: Why are they exempt?

Ms KENDALL: For religious reasons. Muslims allow reverse stunning so that the animal, if it had not had its throat cut, could revive and live again, but I do not think the Jewish people do—they like no stunning.

Mr BARTON: Kosher, that is correct, yes.

Ms KENDALL: Yes.

Mrs McARTHUR: Thank you, Ms Kendall, for your presentation. Is it only farm animals that you are concerned about or is it animals that have to be destroyed for the production of non-animal products?

Ms KENDALL: What animals would you be thinking of?

Mrs McARTHUR: Well, to produce 75 hectares of peas, for example, there will be more than 1500 rodents that are killed and there would be possums, and in a farm in Tasmania kangaroos and others—

Ms KENDALL: I do not think they actually remove possums for farming.

Mrs McARTHUR: Yes, well, they do. They have a permit. In much of the production of non-animal-based products there are large numbers of animals—and what do you call them? We call them pests because we use pesticides to remove them in many instances, but in many other areas they are permitted to reduce the number of animals that affect the plant-based crops, including rice and wheat and so on. But are they not of concern to you? Is it just the animals in meat production that are of interest?

Ms KENDALL: I think there is a difference there because the farm animals are actually bred to be slaughtered whereas the other creatures—

Mrs McARTHUR: Are being destroyed to produce plant-based products.

Ms KENDALL: Yes. But I just think we have the power—because so many people want to eat meat at the moment, this is something that we should focus on. We are actually letting things happen that are cruel and we are stopping the community from finding out about the cruel things that happen. So I do not quite know—obviously animals are going to die in the production of cropping and all these other things, yes, but I mean unfortunately people have to eat.

Mrs McARTHUR: A billion mice, for example, are poisoned each year in the production of wheat in Western Australia. Is that of concern?

Ms KENDALL: Well, it is a concern, yes. I do not like anything to die really. Do you?

Mrs McARTHUR: So to produce the plant-based products, how would you propose that we eliminate the extermination of all animals?

Ms KENDALL: Well, I am not suggesting—I mean, I would love not to use chemicals and everything to be organic, but one has to be realistic in this world, doesn't one?

Mrs McARTHUR: So there is a difference between animals for meat production and animals for plant production?

Ms KENDALL: Well, if it turned out that the market has decided they want the lab meat, I do not think there would be any insects or mice killed because it would all be grown in labs.

Mrs McARTHUR: What about the grain and the vegetables and the fruit and so on?

Ms KENDALL: Those creatures are dying now. Don't you eat your vegetables? The health department is telling us we should all eat more vegetables.

Mr LIMBRICK: Ms Kendall, I would just like to follow on from something you mentioned before when we were talking about exemptions for certain abattoirs for religious reasons. I think you mentioned the Jewish and Muslim communities have certain practices at these abattoirs. Should these practices be prohibited, do you think?

Ms KENDALL: Well, as long as everyone else is eating meat, I think the same applies. They just have to follow the same rules so that animals do not suffer. Temple Grandin—I do not know if you have heard of her; she is an expert American animal advocate. She says that if unstunned slaughter is done properly by whoever—I do not understand how the Jewish people do it, but they do have a rabbi, I think, who is particularly skilled—that is not as ghastly as some of the other slaughters that we do now where we have so many failures in slaughter. But the key issue is you need it to be monitored very, very closely because there is so much failure in the slaughterhouses now. I tend to think that not many people probably would know that there is unstunned slaughter, and maybe there needs to be a bit of transparency with the population that this does exist, because there is so much secrecy about it.

The CHAIR: Okay. Thank you. If there are no further questions, in a few weeks you will receive a copy of the transcript for your proofreading. On behalf of the Committee, I would like to thank you for your time and contribution.

Ms KENDALL: Thank you very much.

The CHAIR: Thank you very much.

Witness withdrew.