

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 David Davis

Mr David Limbrick

Mr Andy Meddick

Mr Craig Ondarchie

Mr Gordon Rich-Phillips

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Dr Catherine Cumming

WITNESSES

Ms Danyel Cucinotta, egg farmer, and

Mr Brian Ahmed, egg farmer, LT's Egg Farm.

The CHAIR: 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 actions 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.

Before you start, can you please state your name for the Hansard record and allow us some time to ask questions. Welcome.

Ms CUCINOTTA: My name is Danyel Cucinotta.

Mr AHMED: My name is Brian Ahmed, and we are egg farmers.

Ms CUCINOTTA: Good morning. My name is Danyel Cucinotta, and this is my father, Brian Ahmed. I am a third-generation egg farmer, along with my sister, who could not be here today, obviously, because somebody has to be on the farm with my uncle and my mum and all of the other staff—and of course our girls, the chickens. They are currently caring for about 20 000 chickens we keep in environmental cage sheds. I wrote my submission on Friday, 14 June 2019, at approximately 3.00 am. I remember this very clearly because I gave birth to my little girl that afternoon. I wrote this because the safety of my family got even more scary knowing that I was giving birth that afternoon. Of course, she is our fourth-generation farmer now.

My grandparents started our farm in 1969 for the sole purpose of producing food to feed their family. Over the last three generations we have grown into a business feeding thousands of Australian families. We supply eggs to customers all over Australia, with the majority being sold in the western suburbs of Melbourne. This is a very rewarding feeling as we have direct contact with our customers and they always tell us how much they love our eggs and how well we look after our birds. We currently follow a quality assurance program which is third-party audited to ensure we meet all animal welfare, food safety, OHS and of course biosecurity standards—not to mention the local food safety audits and the WorkSafe audits we have at random on a yearly basis. All of this gives our customers the confidence that they are buying the product that meets their needs.

As farmers we have always been transparent and continue to work on improving our systems, processes and general husbandry. We are currently building a new shed to house another 20 000 chickens as demand grows for our eggs. We are a family business that employs five family members and over 30 staff from the local community. We communicate with our customers daily, ensuring we provide them with a product that meets their needs.

We have been personally affected by animal activism, and our farm has been targeted on numerous occasions. Not one of them has been held accountable for their actions, which in turn means that they feel protected to repeat the illegal activities of invading farms and destroying our property. Renay and I both recall an incident when the police were called after alarms went off in the middle of the night. The intruders disappeared onto the farm; therefore the police dogs were called in and the animal activists were eventually caught on our property. We went to court, and they were given a \$750 fine which then went to a third party, the RSPCA, and they had no criminal record. The damage they caused to our property was noted, and we were told by the judge that the repairs would be paid for by our insurance. Naturally it was, but we did pay our excess and we had a disruption to our workplace.

More recently we have also received threats through our social media page and many phone calls threatening not just the property but the lives of our family and staff. My sister and I are next in line to take over the farm and continue producing food for our Aussie families, which means one of us needs to consider re-living on the farm. If you are not aware, looking after livestock and producing food is a difficult job and requires commitment many people would not understand. Farming families in Australia have been producing food to feed our families for generations, and they need to be protected so they can continue to do so. To be honest, at

this stage I am too scared to live on the farm with my daughter and family, and if it is not good enough for me then it is definitely not good enough for my sister and it is not good enough for a staff member. Everyone should have the opportunity to work and live in a safe environment.

Put yourself in my shoes for a moment. Imagine I and a group of my friends jump your fence at a ridiculous hour of the night and you are woken by an alarm, dazed and confused. Then you are confronted by anywhere between two and 50 people and they believe they have the moral high ground over you. Imagine knowing your baby or your loved ones are inside and you have left the door unlocked. The panic and the fear is real, and it is such an unpredictable moment. Before you can say, 'It's peaceful', that is not something anyone can assume, especially when in any other circumstance this would be considered a home invasion. I have personally had multiple death threats and phone calls as well as social media messages which state they will lock me and my family in a cage and they will watch us suffer a slow and painful death. This is the extremist view those who undertake and support such farm invasions hold.

If the farm invasion happens during the day, as an employer I am responsible for the safety of our staff. I cannot predict the actions of unknown individuals in the workplace I manage. My machinery comes to a halt, processing stops, doors are locked and staff told to sit there until police arrive. I cannot be expected to control the situation when people barge past locked gates and force their way onto the farm and into these sheds. They say they are passionate about their cause, but I am passionate about what I do as well—farming and producing food for my family and many other Australian families.

We have never placed our chickens deliberately in harm's way. We have never treated them with cruelty. In fact the chickens on our farm are our number one priority. As children, Renay and I would spend summers in the chicken sheds because they got an air conditioner before Renay and I did. I imagine you have heard on numerous occasions that it is a biosecurity risk and it is also a stress issue for our girls, and there is no doubt about it—the animal activists who invaded our farm did not follow strict biosecurity procedure before entering. They may as well have been on another farm and just come in contact with other birds, resulting in a biosecurity risk when they step onto our farm. After a farm invasion we closely monitor our birds for two weeks under the supervision of a vet due to the potential for disease. In the worst case we then may have to unnecessarily cull all the birds.

The Victorian Government needs to introduce new strict and harsh penalties for those who invade and cause destruction to our Aussie farms. They need to ensure that those individuals are penalised and large organisations who promote this behaviour are also penalised appropriately. I would also recommend that the large organisations are not able to pay the fines on behalf of these individuals committing these crimes and that each one should get a criminal offence. These laws need to be stricter and properly enforced, and the next generation of farmers needs to be protected—otherwise they will stop farming. Is this what we want? Do we want to import our food from overseas and from countries where they have no quality assurance standards and processes?

I am here to speak to my submission and answer your questions, because laws surrounding the ways farm invaders are penalised will determine where I live in the next 10 years and whether or not I even farm. If so, do I have to lie in bed every night afraid of who might end up in my backyard? I ask that you do not give these criminals the opportunity to flout the laws currently in place and the chance to play around in my backyard, endangering my family and the lives of our animals while placing a massive question mark over where our food will be sourced in the future. I am asking you to protect all the farming families in Australia and the next generation of farmers who, like me, have a wealth of knowledge about farming and a passion to continue their family tradition. We want to produce food to feed all families in Australia, and we are hoping you can help continue that.

The CHAIR: Thank you very much. You can have some water before we start questions, if you like.

Ms CUCINOTTA: Thank you.

Mr GEPP: Thank you for your presentation. The passion that you have for the work you do and your family was very loud and very clear during that. So well done, and congratulations on the birth of your daughter.

Ms CUCINOTTA: Thank you.

Mr GEPP: I hope she has got a long, healthy and happy life ahead of her.

Two questions about the invasions that you have suffered. When the incursions have occurred, has there been any explanation by the activists about why they are targeting your property, your business? And secondly, have you been able to put an economic cost on each of the occasions when you have been invaded?

Mr AHMED: I think I can answer that better because I was personally involved. There is no reason why they targeted us in particular, unless it was because I have always been vocal about our farming systems and—

Mr GEPP: But they did not give you any explanation?

Mr AHMED: No. All they said was that they were here to rescue the chickens. They had one bag—I do not know where they were going to put 20 000 chickens. But they did not get that far. The economic cost—on our occasion we suffered probably close to \$10 000 in damages. That was to the doors that were broken into, disruption to our grading facilities and things like that.

Mr GEPP: On each occasion?

Mr AHMED: No, that one occasion. Because these days whenever something gets broken it is quite costly to repair—to call tradesmen in and get those things repaired.

Mrs McARTHUR: Thank you very much for your very lucid and passionate presentation. I do hope your daughter can become a fourth and then her daughter a fifth-generation egg farmer in this area. I want to apologise to you on behalf of the people of Victoria for the impact that these invasions have caused your family and your employees. I mean, it is outrageous that you have to endure this sort of activity.

I want to go to the very important point you made—that we should all be able to enjoy whatever we want to eat, whether it is absolutely no meat or animal products whatsoever, vegetarian, pescetarian, or whether we want to eat a meat-based, or animal-based, diet. The animal activists actually have a view that there should be no animal-based products produced, so that is the bottom line in all of this. You made the very important point that some of us will still want to eat a meat-based diet. What impact will that have if we do have to import these products? Where would we get eggs from if we are to import them from overseas, and what conditions do you know of them being produced in, say, our neighbouring areas? How would we all be impacted if we have to import our meat-based products—animal-based products, sorry?

Mr AHMED: I can only comment on eggs, because that is our industry. Australia has very strict regulations on the importation of eggs, because we are apparently a clean, green country with a lot of diseases that are not here. So they are not allowed to import eggs into this country at the moment. We are self-sufficient. The farmers here in Australia produce all of the eggs we consume, and the standards here in Australia are already well above, for example, Asia's standards. We run lower stocking densities, we run different types of farming systems to meet the needs of the diverse consumer, and we have very strict biosecurity laws here that try and control disease.

However, if they come from Asia, most of these laws are not there, and they would be the first countries to bring them here. It would be very quick. It is only a quick shipment over. They can have eggs here within two or three days.

Ms CUCINOTTA: I can also probably add that should our eggs come out of Asia, 99 per cent of eggs in Asia are caged, so you will not get the luxury of choosing free range or barn; you will simply just buy an egg.

Mr MEDDICK: First of all, Chair, if I may, a statement to both of you, and in particular to you, Danyel. In my opinion no-one, and I mean no-one, should ever be subjected to either death threats or social media shaming or threatening behaviour of any type whatsoever. I have been very clear on this many times, because coming from an animal party I receive many of these things myself, as do my family, with very clear threats of being shot in the back of the head in my driveway, for instance. It is terrible, and I do not condone it under any circumstances.

May I ask: are your hens caged or are they free range?

Mr AHMED: Our family started with free-range farming in the 1960s. We moved to barn with technology, and now we have moved into 100 per cent caged.

Mr MEDDICK: Do you believe that a certain amount of these activities are taking place—and they are relatively few across Victoria and across the country over the years, your experience notwithstanding—because there is a lack of transparency perhaps within different industries about what is going on out there? Secondly then, if there was more transparency, do you think that would help alleviate and stop some of these instances happening? There is currently an inquiry in New South Wales, for instance, into whether that jurisdiction is actually going to outlaw caged hens. They are looking at what is perceived to be world's best practice because supermarkets are moving to that situation of cage free, barn laid and all that sort of stuff, because that is what they believe their consumers want. Would that be something that you would consider moving back to then? A number of questions, I know.

Mr AHMED: Yes, I know. It is widespread. I will answer a bit and then I will let Danyel, and the reason I am letting her speak is because she is the next generation and she is going to be taking the business. So unless she feels comfortable, she will not continue the business. I took over from my parents, and I moved with technology. I guess this is my concern: farming has changed over the last 40 or 50 years, and what we did not do was keep the consumer updated on why we have changed. Now we have changed all our farming systems. Technology has moved into our life. You are all sitting with mobile phones and computers and everything. Well, farming has changed that way. When I asked my dad the first day, when he was alive, 'I need a fax machine', he said, 'We're farmers, we don't need a fax'. Well, the fax has come and gone.

So farming has changed for a number of reasons. We need technology. We need to feed a growing population. If we are going to feed a growing population, we need, in the egg industry, all three farming systems. That way we can feed the diverse needs of the consumer but we can also get the volume of eggs we need, because we cannot have free range running all over Australia. The supermarkets, well, they hide behind the animal welfare banner, but they do not care what animal welfare is. All they are worried about is how they can sell a product to a consumer for a higher price and make a bigger mark-up. That is what they are concerned about.

What we have done poorly as an industry is we did not educate our consumers of the benefits of each one of our farming systems. So certain groups, like the animal activist groups, selected egg farming because it was a very easy target. It is a small industry and they were able to attack us, and we stuck our heads in the sand and thought that the problem would go away. Well, this issue that we have got to right now here, I could see that 15 to 20 years ago as a caged-egg farmer. The agricultural industry has realised now because it has been brought to the forefront because there are agendas to stop to stop animal farming. Cages were just where they started—it was a very easy target for them. Danyel, have you got something?

Ms CUCINOTTA: I just wanted to add that Renay and I are quite passionate about agricultural tourism. Renay and I are moving down that alleyway at the moment, and we are starting to diversify. Because we are so proud of our system that is in place and we enjoy our farm, we have started creating a virtual reality system that we eventually plan to go to schools with. I think kids are exactly where you start with it. We want them to know how cage systems in Australia are run—not necessarily like you see on the internet or as the media presents them. Then if they still choose not to buy them, then we are okay with that. It is knowing that they have chosen it because they have not been misled in a direction because someone else has created this propaganda.

I also wanted to note that most of the facts and figures about the egg industry specifically are from the supermarkets. So they will tell you something like, '70 per cent is free-range bought', but Australia-wide 55 per cent of eggs are still in cage production because the food service industry—being your cafes, your bakeries and all that—is your biggest buyers of eggs, not the supermarkets. And Dad is correct: you can make a much higher profit margin off free range, so why wouldn't they be pushing that down the aisle instead of my \$3 cage-system eggs?

Ms BATH: Thank you very much for your presentation, your candidacy and your passion. I think it would be helpful for the Committee—because you mentioned that over a period of time you have had invasions and activists on your farm, and I cannot quite categorise and picture what that looks like—if you could, and maybe

you can take this on notice, provide a document that specifies even approximately what year and the events. So it would be a very simple document, if you could, that would help me understand that a little bit more.

I just want to go to where you were first talking. You said that at one of the invasions there was a \$750 fine that went to the RSPCA and that they paid the fine. Can you just sort of explain that to me? I would have thought that went to the individual who was on farm.

Mr AHMED: Well, that is what I thought, but it did not.

Ms BATH: How did you know it was paid by the RSPCA?

Mr AHMED: No, it was not paid by the RSPCA. Their fine went to the RSPCA.

Ms BATH: Oh, the money.

Mr MEDDICK: The money was paid to the RSPCA.

Mr AHMED: Yes, the money was paid to the RSPCA.

Mr GEPP: That was the court order, was it?

Mr AHMED: Yes, that was the court order.

Ms BATH: And then the judge said—and I have just scribbled this down—kind of like, ‘Don’t worry, your insurance will pay for your costs’.

Mr AHMED: That is correct.

Ms BATH: But you have also just told us that there was a \$10 000—or multi-thousand dollar; I do not want to verbal you—or multi-thousand-dollar cost to your business that in no way did any of the people who were convicted of a crime, because they had to pay a fine, have to pay back to you.

Mr AHMED: No, they did not have to pay at all.

Ms BATH: So you wore the cost of the invasion.

Mr AHMED: Yes.

Ms BATH: You wore the cost, and probably the emotional cost, of going to court.

Mr AHMED: Court, yes.

Ms BATH: Somebody—the RSPCA, okay—got the fine and your insurance premiums went up because they paid that \$10 000.

Mr AHMED: That is correct. That is exactly what happened.

Ms BATH: It sounds like you lost and you lost and you lost.

Mr AHMED: Well, I said to the judge at the time, ‘I’m not happy’. And he said, ‘If you’re not happy, then you have a right to appeal’. But I had to go back and look after my birds. I did not have the time to get lawyers and appeal.

Mr BARTON: Do you know how much it has already cost you?

Mr AHMED: Yes, I had already spent the time getting away, so we just wrote it down as a bad experience and moved on. And it even cost us more, because after that event we spent nearly \$30 000 on security and fencing around our whole farm. So we have got 30-odd cameras and we have got 8-foot fences around our whole farm. Imagine if we had to start fencing every farm around Australia with an 8-foot cyclone fence.

Ms BATH: Thank you very much for your answer there. Also you mentioned about social media threats et cetera. It would be, I guess, illuminating if you had any of those still available. You probably deleted them all, from sickness, but if you have any of those—I think sometimes there is this vision that it is made up and it is all commentary that is made up. So if you have any of those, that would be useful.

I guess my other comment would be that you were very hard on yourselves when you said, ‘We stuck our head in the sand’. If a shoe shop in downtown Ferntree Gully gets invaded for whatever reason and then they have packed up and put their shoes back on, they are not going to say, ‘Gee, it’s our fault that we haven’t improved our business program’. It is actually illegal to go and do these things that have been done, so I think you were being hard on yourself.

Mr AHMED: I think I was being hard on our industry—for example, the Victorian Farmers Federation and the National Farmers Federation—because I brought these to their attention, and the whole agricultural industry really ignored it because it was only focused on, for example, pigs and chickens in the early stages. It has become a bigger issue in the last few years, and this is why we are at this table now. But if it had been just the cage egg industry, I am sure we would not be sitting around here.

Mr BARTON: I want to thank Melina for pinching all of my questions. But I will go back over that. I am absolutely amazed that you have got a \$10 000 bill to repair your place and there was no court order. There was not an attempt by the court—

Mr AHMED: No.

Mr BARTON: I am assuming you had lawyers representing you at that stage. Did they not—

Mr AHMED: No, it was the police prosecutor.

Mr BARTON: Police prosecutor. Okay. The other thing, with the death threats and things like that, did you report those to the police?

Ms CUCINOTTA: No, because—hang on. I made a statement originally and it went on social media or something with the egg industry, and that was like, ‘Happy hens produce—’

Mr AHMED: More eggs.

Ms CUCINOTTA: ‘more eggs’. I think that is what I said. And the egg industry put me on a social media ban because the animal activism group went to Australian Eggs and said, ‘There is no way your birds can be happy, because they’re in a cage’. And then they put out an apology in the *Sydney Morning Herald* because I said that, and then that is when I copped it, because my name was in the *Sydney Morning Herald* and I got all those threats. And I just left it.

Mr BARTON: Yes.

Ms CUCINOTTA: I showed Dad, obviously, but that is about all I did.

Mr BARTON: I am just curious about what are the—I know there is some other stuff about harassment and trolling on social media sites, so that is just another diversion off this we have got to think about.

Ms CUCINOTTA: Well, that is where I think it is heading. Not only will it be physical farm invasions, but my next generation will be a lot more social media based, because it is an easy way to target. You can hide behind something that does not have to be you. Beverley could be me for the day if she really wanted to be.

Mr BARTON: One thing that concerns me is that you are too scared to live on your own farm now.

Mr AHMED: And that is my concern. What do I do with the farm? If my kids do not want to live on the farm and take it to the next level, then you are going to stop farming. My concern is that Danyel is only one example of many young people in farming. It is generational. It is something you cannot teach kids. You have grown up on a farm, you know what you are doing—it does not matter what sort of farming. If we do not protect them so they want to continue this farming, then where does our food come from?

Ms CUCINOTTA: I do not live far from the farm. Obviously my husband and I bought a house and our family is still on the farm at the moment. We were not prepared to live with my parents.

Mr BARTON: Funnily enough, my daughter says that about me.

Ms CUCINOTTA: But there will be a time where, say, Mum and Dad or my uncle decide that they are happy to move into a small house somewhere else, and Renay and I really have to decide. I will not lie—neither one of us want to do it because people have come to our farm. There have been multiple phone calls. I do not want to walk out in the middle of the night and—

Mr AHMED: And be subject to that.

Ms CUCINOTTA: I do not want to see anyone in my backyard. What am I going to do? Nothing. I am not going to do anything, but I am going to panic, and I do not know what I am going to do in that panic. I do not want to be looking like a scared crazy person, but that is probably how it is going to be. I am not saying anyone is going to hurt me, but the feeling is there, and I just do not want to do it.

Ms BATH: Intimidation.

Ms CUCINOTTA: But then the farming cannot continue without one of us living there. So something has to give either way.

Mr BARTON: If I can just say one thing—I am digressing just a little bit—at the end of this month I will have just sold my business to my daughter for \$1, so I know exactly about that transition of a business. I think it is pretty cool.

Mr AHMED: Yes.

Ms CUCINOTTA: Thank you.

The CHAIR: Final question: what do you think about the education system around animal welfare? Does that help or assist—better education?

Ms CUCINOTTA: So I believe if we give people the opportunity to completely understand all round and agriculture in general, and every type of subject, then you can make a better informed decision, rather than at this current moment in time when I have a conversation with someone on a plane because somehow I cannot possibly be an egg farmer; I am a girl under 30—this does not happen. And then I will say, ‘Well, what do you buy?’. And they always buy free range. And I say ‘Why?’. If they can give me an answer—they believe genuinely that the chicken is happier—then I do not say anything after that. But most of them just say, ‘Because I do’. Well, why? I do not accept that. So if they can come to me and say, ‘I don’t believe chickens should be in cages because it’s not morally acceptable’, then by all means.

I think if we start early in education, then everyone has the opportunity to make an informed decision. But then they also do not look at other kids in their classroom who cannot afford free range and judge them. We give them the opportunity to say, ‘You know what? Little Johnny over there, he is doing fine, and his mum can only afford cage, and that’s okay, because I know that cage egg farmer is looking after their eggs, Johnny’s mum has a mortgage, she is single and that is all she can afford, and that is okay too’.

Ms BATH: Can you tell me, of the farm invaders, were they wearing hazgear—so covered in? Were they wearing shoes covered by—

Mr AHMED: Biosecurity stuff? No. All they were wearing was full black with balaclavas. All you could see was their eyes.

Mrs McARTHUR: So let us get this clear, Mr Chair. You are saying those invaders did not want to be identified?

Mr AHMED: That is correct.

Mrs McARTHUR: And what did the police have to say about that?

Mr AHMED: Actually, the police did not say anything about it. I just felt I was not supported as the owner of the farm at the time. It was almost like they protected them—because it was two young ladies, actually.

The CHAIR: No further questions. On behalf of the Committee I would like to thank you for your time and contribution. You will receive a copy of the transcript for proofreading.

Witnesses withdrew.