

LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into the Impact of Animal Rights Activism on Victorian Agriculture

Wangaratta—Tuesday, 8 October 2019

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WITNESS

Mr Bill Baxter.

The CHAIR: Thank you and 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 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 state your name for the Hansard record, and allow us some time to ask you questions. Welcome.

Mr BAXTER: Thank you, Mr Chairman. I am Bill Baxter, and I am pleased to appear before the Committee today. It is a very important Inquiry, and I wish the Committee well in its deliberations.

I am a farmer of sorts, in that I am still the part-owner of a family farm that is now run mainly by my nephew and his wife in northern Victoria. We are very, very concerned with the activities of some zealots, who are imposing a lot of strain and stress on our farming community. I lodged a submission, which I will recapitulate a bit today, but then take up your invitation for questions.

In my submission I dealt with three principal concerns, and that is, biosecurity, farm security and the application of the law and what Parliament intended the law to achieve.

On biosecurity, years ago when I left school it was a term we probably had not heard of much, and we did not mind if people were traipsing around the place mushrooming, getting firewood, shooting rabbits or whatever. It was not a concern. Now, of course we are much more conscious of the introduction of exotic diseases and other issues with biosecurity, and we have had to, as most other farmers, formulate a biosecurity plan and make sure that we know who is about, what they are up to and where they have come from, because the risk of us now introducing diseases, whether it is something as common as footrot or lice or more exotic diseases like anthrax from people coming in, has become fairly high. And of course not only would that impinge on us as farmers disastrously, but of course it would impinge on the nation too if something like swine fever, for example, was brought in by people invading farms without authorisation. It would certainly undermine the export income of Australia, and of course that affects the standard of living of every Australian, whether they are connected with farms or not. We have a biosecurity plan which requires anyone who is coming on the property to report in, and we manage it from there.

In terms of families living on farms in quite remote locations—and that is certainly the case with my nephew and his wife and three young children—the nearest police presence, during the night at least anyway, is at least an hour away, and I know they are quite concerned that they could wake up in the middle of the night and find people traipsing through the shearing shed or invading the house or whatever. Whilst it is perhaps not that likely to happen to us—who knows—they have mentioned it to me several times, and I know it is on their minds. That is certainly going to discourage young people from residing on farms. It is certainly going to discourage perhaps young women who have come from the cities from taking on marrying a farmer if it means you are going to be living out in a pretty remote area and you might have people unexpectedly wandering around wearing hoods in the middle of the night. It is a concern.

On the application of the law, I think if we look at two recent examples we can see that the magistracy does not seem to be attuned to what the community expectations are or to what the Parliament intended when it introduced those laws. If we look at the Gippsland Gippy Goat Cafe one, the perpetrator there was fined \$1. I mean, that is absolutely farcical that a fine of \$1 could be imposed. It is not even a slap on the wrist. I saw that defendant interviewed on *Landline* on the ABC on what I thought was a pretty well balanced program. She made no bones about it that she would repeat that offence at the drop of a hat, that there was no deterrent value in it whatsoever and that it did not send any message to her to respect the rights of other people. Well, if that is the case, clearly the penalty is inadequate. Something needs to be done about it, and if magistrates are not going to impose a proper penalty in circumstances like that, the Parliament may need to act in terms of putting in some minimum penalties. I would also introduce some sort of on-the-spot fine as well, because that is the here and now. That really hits the perpetrator rather than having to appear in court perhaps months later.

And then we have had the most recent example of the people who sat down on Princes Bridge and disrupted the traffic. Appearing before the court this week, they are given a \$100 fine, but it does not go into the court system. It is going to their favourite charity—no conviction recorded—and what did the appearance at the court give? A propaganda opportunity for their cause. We saw them on the steps of Parliament House or on the court holding up banners which had untrue slogans on them, and they got on the television news. So their \$100 to their favourite charity got them undoubted publicity for their cause. That is not what Parliament intended. That is not what the community expects, and I think something needs to be done to adjust how things are done so those opportunities do not present themselves to show utter disrespect for the law, its intent and what the community expects.

In terms of farmer attitudes, I would like to scotch this view, if I could, that seems to be abroad, that farmers see animals as profit centres and have no regard for their welfare whatsoever. That is absurd. Farmers know that a happy animal is a profitable animal. An unhappy, ill-treated animal is not profitable to anyone. Most farmers are up all hours of the day, and night at certain times—not every night of course—tending to sick animals, helping with births and so on. They do it not because they are going to make an income out of it—yes, they are at the end of the day—but because they have animal welfare at heart.

Now, if I could just give you one anecdote that involves myself—but I think it is a sentiment that most farmers would adhere to—soon after I left school, and that is over 50 years ago now, we were shearing at home on the farm. There was a ewe that had a black-and-white lamb about a fortnight old—and yes, it was cute. One of the shedhands asked my father if he could take that lamb home for his children. My father, with some reluctance, agreed to it. I was really concerned—and I still remember it 50 years later, so this is indicative of my concern—not so much for the welfare of that lamb, because I thought once the novelty wore off with the kids, who would look after the lamb, but I was also concerned about the ewe, the mother of the lamb, who would spend a frantic two days searching for that lamb before she concluded that it had disappeared. And as I say, that incident—haunts is too strong a word, but the fact that I remember it after 50 years because I thought it was not right, it was not fair to the lamb and it was not fair to the ewe, I think indicates that farmers by and large do want to look after their animals.

Can I also say we see so much hypocrisy from the zealots. The ABC program I referred to a moment ago had a vegan picnic—nothing wrong with that; they can have vegan picnics if they want to. But in the vision it showed two dogs on leashes. Well, to me, they are talking about freedom for animals, freedom to roam. A dog on a leash hardly accords with that view. Secondly, dogs are carnivorous animals. So if they were feeding those dogs on vegan food, that is cruelty to that dog. If they were feeding the dogs on meat, well, that is hypocrisy gone mad, and yet they did not seem to make that connection at all. I served on a board not long ago, and we had a board member who was regularly lecturing us about the evils of eating meat. I said to her one day, ‘So you are saying, Sarah, that farmers shouldn’t breed these animals and that millions of animals should never have the chance of life at all?’. She looked at me quizzically. She said, ‘What are you talking about?’, and I said, ‘Well, if farmers can’t sell their animals to make an income, they’re certainly not going to breed them’. It was as if that notion had never occurred to her before, and I think that is what the zealots should take on board. If they want to stop us farming animals, they are in fact saying they do not want those animals to be born. Is that what they are really on about?

I notice in the newspapers that the law institute appeared before this Committee. I am not sure whether the witness was off on a frolic of her own, but I notice that the institute has basically resiled from that submission, and there were some things that were said, reported in the *Weekly Times*, that certainly seemed to repudiate that. But the oddest one I found was her assertion that closed-circuit television should be installed on farms. Well, first of all, that is reversing the onus of proof in my view. She is saying we are all guilty and we have to prove ourselves innocent. But in practical terms, how would it work? I have got five shearing sheds and seven sets of sheep yards. Now, four out of the five shearing sheds might only be used for half a day each year just for crutching, but are we to put cameras in five shearing sheds and seven sets of sheep yards? Who is going to monitor them and who is going to make the judgement about what the film shows—as to whether it is untoward or not? I simply think it is absolutely impractical, and I am glad the law institute has somewhat backed away from that notion.

And finally, could I say to the Committee that there are, in the 500-odd submissions you have received, a number of anonymous submissions. I would ask the Committee not to place a great deal of credence on anonymous submissions. If a person is not prepared to put their name to their submission, well, in my view they do not have the courage of their convictions and their submission does not carry much weight. But I just want to use one example, and that is submission 482, which has no name on it. It makes some defamatory statements and untrue statements about farmers and farm activities and claims to be a charity interested in the welfare of animals. I did a search to see if I could find that on the internet. I think I did, but again there are no names, there is no address and there are no contact details. It claims to be a charity, but it also says it wants to stop the farming of animals full stop throughout the world. That would deprive millions of people throughout the world of their main source of protein, which they have been enjoying for millions of years. What sort of charity could possibly want to deprive people of that? This organisation may in fact be one zealot only, but because we do not have any identifying information how are we to know? So I am simply saying to the Committee that I think that anonymous information does not hold much water and it should largely be disregarded. Thank you.

The CHAIR: Thank you very much. You touched on heavy penalties, like other witnesses as well. We heard that before. Apart from increased penalties, is there anything else you think Government could do to stop this?

Mr BAXTER: Well, maybe we need somehow to improve the understanding of farming practices amongst urban populations. Fifty years ago I think every person who lived in Melbourne or the big cities had a personal connection to a farm. They had relatives on the farm, they went up to the farm for school holidays and so on and there was a much, much greater understanding of what farming entails, what animal welfare is and so on. That has largely been severed now simply through the growth of the community, people coming from overseas and people becoming more remote from other relatives. We live different lifestyles now. So there is perhaps an ignorance of what farmers do, but there is also a group of people in the community—zealots who peddle such misinformation about what farmers do—and people tend to believe what they read in the twittersphere today more than what the CSIRO says, so—

The CHAIR: So more education.

Mr BAXTER: Yes. Maybe we need somehow to educate people on how important farming is to our economy and to our employment and that farmers in fact care for the environment and they care for their animals.

Mr FINN: Mr Baxter, thank you for your presentation. You have lost nothing, let me tell you. I was particularly interested to hear your comments about the activists' activities being a disincentive to young people taking on farming. We have heard as evidence to this Committee in this Inquiry that there is a section of the extremist animal activist area—grouping, rather—who are keen to destroy agriculture in Australia. That is their stated aim. Is your fear that terrorising families on farms, in their own homes, is a new way of forcing people off their land?

Mr BAXTER: Mr Finn, I am not sure that I would put it as high as that at this point in time. I think the terrorising of families has become collateral damage, perhaps, of these zealots believing that if they go into that farm they are going to find some treatment of animals which is untoward. They probably do not know it is occurring there or have no reason to believe it is occurring there; they are simply at random seeing what they can find and using their judgement, when they have no knowledge of animal practice and no knowledge of farming, as to whether or not it is cruel. I think in the process families are being terrorised or being made to feel insecure and unsafe, wondering, 'My farm appears on that notorious map. Are they going to be here next week?'. It is just that sort of nervousness, that underlying concern, and it is growing.

Ms BATH: Thank you, Bill, for presenting this morning. Bill, I just would like to bring you back to the CCTV, and I concur 200 per cent with everything that you have said so far. But we have heard in submissions and at hearings in this Inquiry with regard to abattoirs, and we, I am sure, will have to deliberate on, 'Well, we won't put it on the farms, but will we consider it as a recommendation in the abattoirs'. I would like to get your perspective on that.

Mr BAXTER: Yes, it is difficult. Abattoirs by their very nature are fairly gory places to the uninitiated. Blood and guts look pretty gory, even if it is occurring under the best possible practice. I do not actually object to television cameras being there, but who is interpreting what the television is recording? Are they putting a fair interpretation on it? I do not know that there is a case to put it in every abattoir, but I think it is something that the Committee will need to weigh up, looking at the evidence and taking evidence from abattoir owners. I suspect some of them are already doing it, but I do not know.

Ms BATH: Thank you. I appreciate your comments on that. In relation to the comments about anonymity with respect to submissions, again I agree personally but also I have had farming families say to me that they really wanted to put in a submission but they were quite fearful about having their name recorded, so they chose the option of putting in an anonymous one. That is the tension that they had when they were deciding on it; it is just the other side of that coin.

Mr BAXTER: I acknowledge that there may well have been some farmers, because of this notorious map I referred to, thinking, 'Well, if we put a submission in, we're going to be targeted'. I think that is one of the reasons why, of the 500 submissions, probably only half are from farmers—because some were put off. My own niece, who was going to put one in, at the end of the day backed away from doing it for that very reason. I suppose what I am more saying is that in terms of anonymous submissions they need to be taken with a grain of salt unless you can trace it back somehow—you as a Committee, not necessarily the general public.

Ms BATH: Finally, we have heard of examples where there has been on-farm trespass, and I will use as an example Luv-a-Duck in Nhill, where activists came on in force and disrupted operations and, we have heard, cost thousands of thousands of dollars of lost production et cetera and stress. But we also heard from the CEO there that to date there has been no process within the courts. There have been no charges laid, and it is almost 12 months on. I would like you to comment in relation to police resources. We know that Nhill is an isolated town, but we have many isolated towns and centres in Victoria.

Mr BAXTER: Yes. I think it really is a big cost to the community if police are going to be tied up in call-outs where there are farm invasions and then months spent in preparing a case, hours and hours standing around a courthouse waiting for it to come on—and then perhaps to see a result that we have seen in the two cases that I referred to. Why would they bother? I think, as I mentioned, an on-the-spot fine thing (a) would save a lot of police time and (b) nails it right there and then, and it does not get lost by the effluxion of time. So as a former minister for roads, I know how useful on-the-spot fines were in terms of our traffic management. I see a parallel in this instance.

Mr QUILTY: You talked about the loss of connection that city people have with the country. Potentially it is the same issue with the magistrates in the city—they have no links to the country. They do not understand what is going on out here and how we think. Do you think that is having an impact?

Mr BAXTER: I must say, Mr Quilty, I had not actually made that connection, but I think it is a very good one. Perhaps that is why magistrates—maybe they need to go on circuit more around the countryside. But it does seem in a number of examples that magistrates seem to be totally out of touch, both with community expectations, but I think also more out of touch with what the Parliament intended. I cannot for one moment believe that when Parliament passed the particular laws that are being applied in these two cases that the Parliament would have thought that a \$1 fine was in any way adequate. I have always held the view that I have been reluctant to go down the track of mandatory sentences and so on. I have always wanted the magistrate or the judge to hear the evidence and make the decision on the weight of that evidence, but when you are getting a fine that is so insipid, well, you have to do something else about it, and it is either magistrates doing country circuits, like they once did and perhaps do not now, or it needs the magistrates organisation to run some sort of education programs so that magistrates seem to take on board more what community expectations are. I mean, don't they read the newspapers and see the outcry that has occurred after both of them? I do not know.

Mrs McARTHUR: Thank you very much, Mr Baxter, for appearing before us today. You are quite right: farms are in isolated areas. We do not actually farm in Collins Street, for very good reason, although perhaps we should take our farming activities to the streets of Melbourne, and somebody might wake up a bit.

Just in relation to the fear of young farming families, we did have present before us a young poultry farmer in Werribee. They were invaded in the middle of the night by people in black balaclavas. She with her young children and husband can no longer live on the farm because they are too afraid. They run a very big and successful business. This is I think a growing problem for young people coming into the agricultural sector. So I think we do have to bear that in mind.

You have touched on the charitable status of organisations, and I am just wondering if you might like to expand on whether organisations that embark on lobbying to change an activity, in this case the farming of animals for food, can still be declared a charity? In relation to the legal situation that you have referred to, would we also, apart from having minimum sentences if we do not go to the mandatory sentences, perhaps need convictions recorded? Do you think that might help in certain circumstances?

Mr BAXTER: Yes. In regard to the first point I think certainly people who are farming in intensive industries like pigs or poultry are more likely to suffer an invasion than perhaps my farm is, which is more broadscale. I can well understand that someone running a pig farm or someone running a poultry enterprise is going to feel much more at risk than we are, and I can understand why some of them might think that they can no longer live on the premises if they have got young children. That in itself imposes an animal welfare disadvantage, because if you are right on the scene and something goes wrong, you can fix it, but if you are not there and no-one knows it is happening, well, animals are at risk.

In respect to the charitable status, I think the whole charity set-up ought to be reviewed by the Federal Government or the ACNC at least. I think there are a lot of organisations of very questionable ‘value’—perhaps in inverted commas—who seem to have charitable status, but I am particularly concerned by those who have an agenda to radically change society and do not seem to have any agenda to actually be helping people to live a better life. It ought to be reviewed, and I can see no reason why the organisation I referred to—submission 482—has charitable status at all, and if they are to retain charitable status, those organisations need to be much more transparent in what they are doing with their funds and what their programs are actually designed for.

In terms of convictions, I often wonder when I read the court reports in country newspapers and I see no convictions recorded, so I have to think, ‘Well, there must have been circumstances that caused the magistrate to do that’. But obviously, in my view, if you are found guilty of the offence, unless there is some extremely good reason, I can see no reason why a conviction should not be recorded.

Mr BARTON: Thank you, Mr Baxter. New South Wales, Queensland and I believe Western Australia have toughened up all their laws. New South Wales has certainly introduced minimum on-the-spot fines. If Victoria does not do anything, what message does that send to the farming community, and what are the ramifications of that, do you think?

Mr BAXTER: I think it sends a poor message to the farming community that the Government, and by extrapolation the Parliament, does not really have their welfare at heart, bearing in mind we have had all these instances, we have had all this publicity and we have had the other states take some action. So I think it is important that out of this Committee’s deliberations there are some changes—to what extent, it is going to rely on your recommendations and what the Government of the day decides. But I would be very disappointed and disillusioned if we did not advance as a result of this Committee hearing. Sorry, just remind me of the second point, Mr Barton.

Mr BARTON: What are the ramifications if we do not do anything?

Mr BAXTER: If we do not do it, possibly we will become the centre of attention for the zealots who want to gain cheap publicity, push agendas which are very, very, very much in the minority, show disrespect to other people’s rights and responsibilities and undermine our whole economy. It is a very, very serious situation if we are living in circumstances where our major export earner is being exposed to biosecurity risks and everything else that goes with that.

Mr BARTON: Thanks, Mr Baxter. The Aussie Farms map—

Mr BAXTER: Am I on it? I do not know; I have not had to look.

Mr BARTON: To the farming community is this a veiled threat? Do they see this as a veiled threat to them?

Mr BAXTER: I think they do. It is a bit more than veiled; it is actually out there—it is on the websites, it is being reproduced in newspapers. It is just one of those frustrating examples of where someone thinks they can impose their will over people who are conducting their enterprise in a law-abiding fashion.

Mr QUILTY: In your submission you touched on that the theft of animals should be treated as animal cruelty. Could you develop that point just a fraction?

Mr BAXTER: Sorry?

Mr QUILTY: When activists steal the animals and take them away—that that should be treated as animal cruelty.

Mr BAXTER: Yes, I certainly think so. For example, going back to the Gippy Goat Cafe, goats are herd animals, so the goat that was seized—stolen—by the perpetrators would have been absolutely traumatised by the fact that it was no longer amongst the herd. To me that is cruelty. The report that they were putting nappies on that particular animal—I am not sure whether that is true or not, but if it is true, it just shows how warped the thinking of those people is. I mean this is where people do not understand animal behaviour. They think they can go and just get a goat out of a herd and that animal will not be affected by it. That animal will be very much affected by the fact it has been removed from its familiar surroundings of being with many other of its kind.

Ms BATH: Thank you, Bill. Just a couple more questions from me. We heard at the Horsham hearing that there is a farming family who now feel obliged to station someone at home at all times. I personally heard when I was on a booth at the Lardner field day—I had them come up and say—that people are really concerned about who is coming down that driveway. Once upon a time they could dictate—it was a Jehovah's Witness or the vet or the neighbour et cetera—but they really do hold those concerns. Locally what can people do? How can communities or the police—how can people—work together locally to support each other in this situation?

Mr BAXTER: Yes, I think a lot of communities now are sort of discussing telephone trees or things like that, so that if you get someone—a group of unauthorised people—on your property, you can summon your neighbours to come. I am not saying for a confrontation or to bring baseball bats, but simply to be there so that you are not on your own. There is a bit of that sort of thought going on. Yes, I think there are families who are now taking the decision that they are not all going to go away on holidays at the one time, especially where there might be two or three families on a property; they will make sure that there is always one person at least, or one family, still there.

On our place we now lock gates; we never locked gates before. Now that is a cost—every time you want to go in and out of that paddock someone has got to get out and unlock the gate, and you go in, and so on. So it is imposing these costs because we are concerned about unauthorised entry. Now, if the zealots really want to get in, a locked gate is not going to stop them I suppose, but at least it is the first barrier.

Ms BATH: One more, Chair, if you can indulge me; I would appreciate it. The Minister for Agriculture has recently put some money on the table to work with the VFF about education for farmers. I am interested by that concept because in my opinion we do not need to educate farmers inasmuch as we need to educate the public about farms. If you had operation of that, what would you see as some potential opportunities to support farms or the public about education with respect to livestock farming?

Mr BAXTER: Yes, well, I agree with you: I am not sure that the farmers need educating. You will always get one or two recalcitrants who do the wrong thing—few and far between, fortunately—and they get called out by other farmers. I had not seen that announcement by the Minister, I am not sure what she has in mind, but I would prefer to be directing it to educating schoolkids about farms. It might be that you organise farm visits for groups of schoolchildren, for example. I have a grandson who goes to Essendon North Primary. Well, some of the things he comes home and reports alarm me quite a bit. I am not saying it is a malicious intent by the teachers to spread misinformation; it is a lack of understanding by teachers of what farmers do. I mean, he came home one day and told me we had to sell all our cattle because they are causing global warming. He was alarmed by that. I was more alarmed to think that some teacher was actually saying that without qualifications.

So if there are any funds available to familiarise people with what a farm is all about, well, let us use them for that.

Mrs McARTHUR: Mr Baxter, we used to have a show day, a holiday, and all schoolchildren were encouraged to go to the show. We no longer have that. We have got a holiday before a football match and a holiday for a race meeting, but we do not have this encouragement we used to. City children especially used to go to a show. Do you think we have lost that sort of culture of bringing the farm to the town?

Mr GEPP: It was the Liberal Party. You took away the public holiday, Mrs McArthur.

Mr BAXTER: I was about to admit to the fact that I was a member of the cabinet that did it.

Mrs McARTHUR: Well, I was not there then.

Mr BAXTER: Without disclosing any deliberations of the cabinet, I do not think it was a unanimous decision.

Mrs McARTHUR: I am excused, Mr Baxter. I was not there.

Mr BAXTER: I think it is unfortunate that that day went. It was perhaps not widely used, but it did get some kids to an environment they were unfamiliar with. And that was 30 years ago. Urbanisation has occurred even more since then, so if it was valuable then it would be more valuable now.

Mr FINN: One last question if I could, Mr Chair. Mr Baxter, you mentioned before your frustration with the judiciary and how they handle the latest wave of animal activism, particularly the Gippy Goat Farm and the \$100 fines for their favourite charity. Given the chance, what would be the message that you would give to magistrates who have similar offenders before them in future?

Mr BAXTER: Well, I think they need to be conscious of what the community expects. They need to be conscious of the stress that is being imposed on farming families. They need to be aware of animal cruelty that is occasioned if animals are willy-nilly snatched away from their familiar environment. And yes, they need to hear the evidence. They need to hear the facts and they need to make a judgement on those facts. But if the facts are that that offence was perpetrated, then I think the magistrates need to impose a penalty that is in line with community expectations, that is not simply a slap on the list. Why they did it in these two instances I have no idea, but hopefully magistrates will observe the public backlash and we will see more appropriate penalties imposed in the future.

The CHAIR: Thank you. If there are 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 your proofreading.

Witness withdrew.