

Submission
No 97

**INQUIRY INTO PROVISIONS OF THE RIGHT TO FARM
BILL 2019**

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**SUBMISSION:
PROVISIONS OF THE RIGHT TO FARM BILL 2019**

The Right To Farm Bill is an aggressive agricultural gagging attempt that is out of line with community expectations for animal welfare. There is serious concern that this Bill will impact on civil liberties, including the right to peaceful protest and the ability of whistleblowers to report animal cruelty.

Australia is a democratic, Christian country. As such, the principles by which we govern and are governed centres around the requirement of transparency and honesty in all things, including the laws that are imposed upon the populace. Therefore there is a need for transparency in the animal agribusiness industry and as we are a democratic country which should by the nature of democracy provide protection for whistle blowers who are brave enough to publicly denounce any behaviour that is not in line with the values that the Australian society lives by.

Below are examples of unjust laws which will discourage people to come forward with information pertaining to behaviours and actions which are not aligned to the Australian peoples values:

- The Bill will make aggravated trespass punishable by up to \$13,200 and 12 months imprisonment. At the moment, the maximum punishment is \$5,500 and no jail time. This is more than doubling the existing penalty.
- The Bill will make an individual accused of aggravated trespass face up to a \$22,000 fine and up to 3 years imprisonment if they are in the company of two or more people.
- The Bill also changes the definition of aggravated trespass to include “wilfully or negligently” releasing livestock.

There is no evidence that there is a need to increase punishment for farm trespass, or that this increase will deter trespassers. Previous attempts by the government to stifle whistleblowers only led to more community concern regarding animal welfare.

I grew up on a Dairy farm but that does not mean that I support the proposed Bill that is currently before you. Animal Welfare is a topic for all Australians. Therefore we deserve the right to have access to all relevant facts and information. Being in business in the agri Industry does not provide the right to hide business practices from ordinary members of the community, especially when it comes to animal welfare. Animals cannot speak for themselves, so it is up to us as members of a compassionate society to protect their rights and not just be concerned with the almighty dollar. I am a subscriber to many farming newsletters and the threat posed by animal advocates are pale in comparison to the threat of thieves who wilfully destroy property and leave gates open where animals can get out. Currently in the Australian farming community animal activism is the least of the Farmers problems.

For example:

- The Bill seeks to provide protection for farmers against nuisance lawsuits*, at the expense of the rights of individual property owners.
- While the Bill focusses on the trespass threat posed by animal advocates, this is inconsistent with a statement by NSW Police last month that “the majority of trespass on rural properties was due to illegal hunting not animal activism.”
- The Bill will stop consumers from having access to information they want and need about what goes on behind closed doors in the animal agribusiness industry. It affects every member of the community.

This Bill flies in the face of all that is just. It is out of step with community and consumer expectations regarding the protection of animals in the agribusiness industry. Animal welfare is extremely important to most Australians who are not only concerned about animal welfare, but are concerned about the way in which farm animals are grown and then processed for consumption. It is not only an issue for animal welfare groups it is an issue of our overall health. Animals that are poorly farmed and poorly treated are not healthy to consume. Furthermore, as an Australian I not only deserve the right to be fully informed, I expect it. That is why it is important to me my family and friends to know what is going on behind closed doors.

** A nuisance lawsuit is one that is brought by neighbours regarding a substantial, unreasonable and ongoing interference with the use or enjoyment of their land. This includes issues of noise, odour, chemical spray drift and the use of pest control (including 1080 baits). Under the Bill, individuals will have serious difficulty taking legal action against farmers who create these 'nuisances'.*